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BILLS,

PUBLIC:

FIVE VOLUMES.

—(3.)—

EXCHEQUER BILLS AND BONDS
TO
OYSTER FISHERIES.

Session
1 *February* —— 10 *August* 1866.

VOL. III.

1866.

BILLS:

1866.

FIVE VOLUMES:—CONTENTS OF THE

THIRD VOLUME.

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A

BILL

TO

Consolidate and amend the several Laws regulating the Preparation, Issue, and Payment of Exchequer Bills and Bonds.

WHEREAS it is expedient to amend the Laws regulating the Preparation, Issue, and Payment of Exchequer Bills and Bonds, and to consolidate the same so amended in One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

1. That an Act passed in the Forty-eighth Year of King George the Third, Chapter One, intituled "An Act for regulating the "issuing and paying-off of Exchequer Bills;" so much of an Act passed in the Fourth Year of King William the Fourth, Chapter Fifteen, intituled "An Act to regulate the Office of the "Receipt of His Majesty's Exchequer at Westminster," as relates to the Preparation and Issue of Exchequer Bills; an Act of the Fifth and Sixth Years of Her Majesty, Chapter Sixty-six, intituled "An Act for further regulating the Preparation and Issue of "Exchequer Bills;" an Act of the Twenty-fourth Year of Her Majesty, Chapter Five, intituled "An Act to amend the Law

Former Enactments repealed.
48 G. 3 c. 1.
4 W. 4. c. 15. s. 26.
5 & 6 Vict. c. 66.
24 Vict. c. 5.

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" relating to Supply Exchequer Bills, and to charge the same " on the Consolidated Fund;" an Act of the Twenty-fifth Year of Her Majesty, Chapter Three, intituled " An Act to amend an " Act, intituled 'An Act to amend the Law relating to Supply " 'Exchequer Bills, and to charge the same on the Consolidated " 'Fund, and to repeal all Provisions by which Authority is given " 'to the Commissioners of Her Majesty's Treasury to fund Ex- " 'chequer Bills;'" and so much of the following Acts as regulates the Preparation, Issue, and Course of Payment of Exchequer Bonds, viz., of an Act of the Sixteenth Year of Her Majesty, Chapter Twenty-three, intituled "An Act for redeeming or commuting " the Annuity payable to the South Sea Company, and certain " Annuities of Three Pounds per Centum per Annum, and Two " Pounds Ten Shillings per Centum per Annum;" of an Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty-two, intituled "An Act to extend the " Provisions of an Act of the present Session for redeeming or " commuting the Annuity payable to the South Sea Company, " and certain Annuities of Three Pounds per Centum per Annum, " and to provide for Payments to be made under the said Act;" and of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Seventy-four, intituled "An Act for raising the " Sum of One million six hundred thousand Pounds by Exchequer " Bonds, for the Service of the Year One thousand eight hundred " and sixty-four," be hereby repealed, save only as to those Provisions in the said Acts by which former Statutes were repealed: Provided always, that nothing herein contained shall be construed to affect the Validity of any Exchequer Bill or Bills, Bond or Bonds, made out in pursuance of any of such Acts, and which shall be outstanding at the Commencement of this Act; but the Holders of such Exchequer Bills and Bonds shall possess all the Rights provided for in such Acts as fully and effectually as if such Provisions had been repeated and re-enacted in this Act.

Definition of Terms.

2. In this Act "the Treasury" shall mean the Commissioners of Her Majesty's Treasury for the Time being, or any Two or more of them; "the Commissioners" shall mean the Commissioners for the Receipt and Issue of Her Majesty's Exchequer, and for the Audit of the Accounts of the United Kingdom; and "the Bank of England" shall mean the Governor and Company of the Bank of England.

Mode of preparing Exchequer Bills.

3. From and after the *Commencement of this Act*, all Exchequer Bills which shall be made out and issued under the Authority of any Act or Acts of Parliament shall be prepared and made out at the Bank of England, in such Method and Form, with Coupons for the Interest becoming due from Time to Time thereon for any Term not exceeding Five Years from the Date thereof, and under such Regulations, as the Treasury shall think most safe and convenient; and it shall be lawful for the Treasury from Time to Time, by Warrant under their Hands, countersigned by the Chairman of the Commissioners, to cause or direct such Exchequer Bills to be prepared and made out, either of One common Sum, or different Sums, for the Principal Moneys therein contained, and to be respectively numbered arithmetically; and every such Exchequer Bill shall be signed by the Chairman of the Commissioners in his own Name: Provided always, that no such Exchequer Bills shall be signed by the Chairman of the Commissioners and put into Circulation, until Notice of his Authority to sign Exchequer Bills under this Act shall have been duly notified in the "London Gazette:" Provided also, that until the Appointment of the Commissioners in pursuance of an Act of this Session, all Acts relating to Exchequer Bills directed by this Act to be done by the Chairman of the Commissioners shall be done by the Comptroller General of the Exchequer.

Counterfoils.

4. All the said Exchequer Bills shall be prepared and made out with such Counterfoils as shall be directed by the Treasury; and, unless otherwise directed by the Treasury, Two Counterfoils shall be made to every such Exchequer Bill; One of such Counterfoils shall remain in the Custody of the Bank of England for their Use, to prevent their being imposed upon by counterfeit or forged Bills; and when the Exchequer Bills shall have been paid off, cancelled, and discharged, and the Account thereof shall have been audited and allowed, it shall be lawful for the Treasury to authorize and direct the Bank of England to burn or otherwise destroy the said Counterfoils, as being of no further Use to the Public Service; the Second of such Counterfoils shall, unless by special Direction of the Treasury, be delivered to and remain in the Custody of the Commissioners, subject to such Directions as shall be given by the Treasury from Time to Time for keeping, or burning, or otherwise destroying the same.

Date and Rate of Interest on Exchequer Bills.

5. All such Exchequer Bills shall bear Date on such Days and shall bear Interest at such Rate as may from Time to Time be fixed by the Treasury, such Interest not to exceed the Rate of *Five Pounds and Ten Shillings per Centum per Annum* upon and in respect of the Principal Moneys respectively contained therein, and to be payable half-yearly at the Bank of England under such Regulations as shall be prescribed in that respect by the Treasury.

Mode of Issue of Exchequer Bills.

6. It shall be lawful for the Treasury, by Warrant under their Hands, countersigned by the Chairman of the Commissioners, to authorize and direct the Bank of England, from Time to Time, to issue and deliver such Amount and Number of Exchequer Bills as shall be prepared in pursuance of any Act of Parliament, to such Person or Officer as may be named in such Warrant, and such Person or Officer shall thereafter become chargeable and be charged with such Amount of Exchequer Bills as may be delivered to him, subject to such Directions as may be issued to him by the Treasury for the Sale and Application of the Proceeds of such Exchequer Bills, or for delivering such Bills in exchange for other Bills as herein-after enacted; and such Person or Officer shall be discharged from all Account in respect of such Exchequer Bills on proving to the Satisfaction of the Commissioners that he has duly obeyed the Directions of the Treasury: Provided always, that the Treasury shall not be so authorized to direct the Issue of such Exchequer Bills to such Person or Officer except for the Purpose of raising Money to be paid to the Account of Her Majesty's Exchequer at the Bank of England, and carried to the Account of the Consolidated Fund, or to be exchanged for other Exchequer Bills to be cancelled.

Exchequer Bills to be charged on the Consolidated Fund.

7. The Principal Moneys contained in all such Exchequer Bills, and all Interest due thereupon from Time to Time, shall be charged upon and be payable out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof.

Exchequer Bills to be advertised for Payment annually.

8. The Treasury shall, on some Day not later than Fourteen Days prior to the Expiration of each Twelve Months from the respective Dates of such Exchequer Bills, during their legal Currency, give Notice in the "London Gazette" of the Day or Days on which, if claimed, Payment will be made to the Holders of such Bills of the Principal Moneys therein contained; and such Payment, if claimed, shall be made to such Holders at the Bank of England under such Regulations as the Treasury shall prescribe; and if Payment of such Principal Moneys shall not be so claimed, then the Exchequer Bills not so paid off shall continue to have legal Currency for the next following Twelve Months, and so on from Year to Year until such Principal Moneys shall be claimed by and paid to such Holders, or until such Exchequer Bill, the Coupons of which shall be exhausted, shall be exchanged for new Bills as herein-after provided; but such Holders shall have no Title to claim Payment of such Principal Moneys at any Interval of Time between the Times fixed by such yearly Notices, except as provided in Section Nine of this Act.

9. At any Time in the last Six Months of every Year from the Day of the Date thereof in which Exchequer Bills shall have Currency by Law, such Exchequer Bills shall be received and taken, and shall pass and be current for the Principal Moneys contained therein, to all the Receivers and Collectors in the United Kingdom of the Customs, Excise, or any Duties or Revenue whatsoever, already granted, due, or payable, or which shall hereafter be granted, due, or payable to Her Majesty, Her Heirs and Successors, and also at the Bank of England on account of the Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, according to the Purport and true Meaning of this Act, and so on from Year to Year during the last Six Months of every Year in which such Exchequer Bills shall have Currency by Law, as provided in Section Eight of this Act; but such Exchequer Bills shall not be receivable for Duties granted to Her Majesty at any Time or Times except during such last Six Months of every such Year: Provided always, that all such Exchequer Bills as shall be tendered in Payment of Duties, by virtue of this Act, shall be transmitted by the Receivers thereof to the Bank of England for Examination; and no such Exchequer Bills shall be finally accepted in Payment of such Duties, until they shall have been so examined and verified by the said Bank of England.

Exchequer Bills to be current for Duties payable to Her Majesty.

10. The Interest which shall from Time to Time be due upon any Exchequer Bill or Bills which may be payable in part of any Duties granted to Her Majesty, shall be allowed to all Persons, Bodies Politic and Corporate, paying the same to any Receiver or Collector of any Duties granted to Her Majesty, to the respective Days upon which such Bill or Bills shall be so paid: Provided always, that all Interest upon or for any such Bill or Bills so paid into the Hands of any of the said Receivers or Collectors, or into the Bank of England on account of the Exchequer, shall cease on and from the Day of such Payment.

Interest on Exchequer Bills paid for Revenue.

11. And to the end it may be known for what Time such Bills bearing Interest shall, from Time to Time, remain in the Hands of such Receivers or Collectors, or in the Bank of England on account of the Exchequer, as aforesaid, the Person or Persons who shall pay any such Bill or Bills so bearing Interest to any Receiver or Collector of any Duties granted to Her Majesty, or into the Bank of England on account of the Exchequer, shall, at the Time of making such Payment, write upon each such Bill his, her, or their Name or Names, and the Day of the Month, in Words at Length, and

When such Bills are paid in, Parties to write their Names and Date thereon.

and the Year in which such Bill or Bills bearing Interest shall be so paid; all which the said Receivers and Collectors respectively, and also the proper Officers of the Bank of England, shall take care to see done and performed accordingly; to which respective Days the said Receivers and Collectors shall be allowed again the Interest which he or they shall have allowed or paid upon such respective Bill or Bills, upon his or their paying the same into the Bank of England on account of the Exchequer.

Power of Treasury to issue Bills in lieu of Bills paid off in Money or paid in for Duties.

12. Whenever Payment of the Principal Moneys of any such Exchequer Bills shall be claimed and shall be paid to any Holder thereof, and whenever any such Exchequer Bills shall be paid in for Duties granted to Her Majesty, under the Authority of this Act, it shall be lawful for the Treasury to order the Preparation and Issue of a like Amount of Exchequer Bills in place of the Exchequer Bills so paid off and so paid in for Duties: Provided always, that no Exchequer Bills shall be so prepared and issued in place of such Exchequer Bills so paid off and so paid in for Duties at any Period after the Expiration of the Financial Year ending on the Thirty-first Day of March, during which any such Exchequer Bills shall be paid off or paid in for Duties.

Power to Treasury to issue new Exchequer Bills, to replace other Exchequer Bills with exhausted Coupons.

13. Whenever any such Exchequer Bills issued under the Authority of any Act or Acts shall remain outstanding and undischarged, all the Coupons of which issued therewith for the Interest due thereon shall have become payable, it shall be lawful for the Treasury from Time to Time to order the Preparation and Issue of a like Amount of Exchequer Bills, with Coupons for the half-yearly Interest becoming due from Time to Time thereon, for any Term not exceeding Five Years from the Date thereof, in exchange for and to replace such Exchequer Bills with exhausted Coupons; and the Treasury shall, on some Day not later than Twenty-one Days prior to the Day on which the last half-yearly Coupons for Interest on such Bills shall become due, give Notice in the London Gazette of the Days on which such Exchequer Bills with exhausted Coupons may be brought in to be exchanged for new Bills with Coupons for the half-yearly Interest becoming due thereon, and of the Day or Days on which such new Bills will be delivered in exchange; provided that if such Bills advertized for Exchange shall not be brought in for Exchange within the Period stated in the Notice (or for Payment as herein-before provided), the Interest on such Bills shall cease on the Day of Exchange, and the Principal Moneys of such Bills, when thereafter presented for Payment, shall be paid off in Money.

Exchequer Bills defaced to be exchanged for new Bills.

14. In case any of such Exchequer Bills shall by any Accident be defaced, it shall be lawful for the Treasury, from Time to Time, to cause a new Bill or new Bills to be made out in lieu of the Bill or Bills which shall be so defaced, which Bill or Bills so defaced shall be cancelled; and such Bill or Bills so to be made out in lieu thereof shall have a like Currency, and shall in all respects be subject to the same Rules and Continuance as the Bill or Bills so defaced, and shall bear the same Numbers, Dates, and Principal Sums, and carry the like Interest, as was borne and carried by the Bill or Bills so cancelled respectively.

Penalty for forging or counterfeiting Exchequer Bills.

15. If any Person or Persons shall forge or counterfeit any such Exchequer Bill or Coupon for Interest, or any Indorsement or Writing thereupon or therein, or tender in Payment any such forged or counterfeited Bill, or any Exchequer Bill with such counterfeit Indorsement or Writing thereon, or shall demand to have such counterfeit Bill, or any Exchequer Bill with such counterfeit Indorsement or Writing thereupon or therein, exchanged for ready Money or for another Exchequer Bill, by any Person or Persons, Body or Bodies Politic or Corporate, who shall be obliged or required to exchange the same, or by any other Person or Persons whatsoever, knowing the Bill so tendered in Payment, or demanded to be exchanged, or the Indorsement or Writing thereupon or therein, to be forged or counterfeited, and with Intent to defraud Her Majesty, Her Heirs and Successors, or the Persons to be appointed to pay off the same, or any of them, or to pay any Interest thereupon, or the Person or Persons, Body or Bodies Politic or Corporate, who shall contract or circulate or exchange the same, or any of them, or any other Person or Persons, Body or Bodies Politic or Corporate, then every such Person or Persons so offending, being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer accordingly.

Provision in case of Loss, &c. by Casualty or Mischance, of Exchequer Bills.

16. In case Proof shall be made on the Oath or Oaths of One or more credible Witness or Witnesses, before the Lord Chief Baron and other the Barons of the Coif of Her Majesty's Court of Exchequer, or any of them, that any such Exchequer Bill has, by Casualty or Mischance, been lost, burnt, or otherwise destroyed, before the same shall have been paid off and discharged, and if by such Oath or Oaths the Numbers and Sums of such Bill or Bills shall be ascertained, and the said Chief Baron and other the said Barons, or any of them, before whom such Oath or Oaths shall be made, shall certify that he or they are satisfied with such Proof, then and in every such Case the Treasury are hereby authorized to cause the Money due upon such Bill or Bills so lost, burnt, or destroyed to be paid in like Manner as if the original Bill or Bills were brought in to be paid off; provided that the Person or Persons so receiving the Money do give Security to the Queen, to the good liking of the Person or Persons appointed or who shall be appointed as aforesaid to pay off and take in the said Bills, to pay in to the Receipt of the Exchequer, for the Use of the Public, so much Money as shall be paid upon such Certificate or Certificates, if the Bill or Bills so certified to be lost, burnt, or destroyed shall be thereafter produced.

Fractions of a Penny for Interest not payable.

17. As often as any Interest upon any such Exchequer Bill or Bills shall be demanded to be paid, the Persons charged with the Payment of the same shall not be obliged to pay for such Interest any less Sum than *One Penny* upon such Bill, in case a single Bill be produced, or for the Total of the Interest of such Bills, where Two or more shall be offered at One Time by the same Person.

Manufacture of Paper for Exchequer Bills.

18. The Bank of England, or such Person or Persons as the Treasury shall direct, shall cause to be provided such Paper and such Machinery as may be necessary for the making of Paper to be used as such Exchequer Bills, and to receive the Impression of the Dies, Plates, or other Instruments which have been or shall be provided, made, or used under the Direction of the Treasury, for Exchequer Bills, which Paper shall have such distinguishing Marks in the Substance of the same as the Treasury shall from Time to Time order; and it shall be lawful for the Treasury from Time to Time, as they shall see fit, to direct the Alteration of any such distinguishing Marks, either by the Removal of any of them, and the Substitution of other distinguishing Marks, or by any Change in the Position or Arrangement thereof; and all such Machinery shall be provided, and all such Paper shall be made, under such Regulations and by such Person or Persons as the said Bank of England or other Person or Persons directed by the Treasury shall from Time to Time appoint for that Purpose; and all the said Machinery shall be kept by such Officer or Officers or other Person as the said Bank of England or other Person or Persons directed by the Treasury shall appoint; and all the Paper so made shall, as the same is required, be delivered over to the Bank of England, or to such Officer or Warehouse Keeper as they shall direct to receive and take charge of the same.

As to present Contracts.

19. And whereas certain Quantities of Paper have been made and manufactured, under the Superintendence of Officers of the Inland Revenue, by Directions of the Comptroller General of the Exchequer and the Treasury, and have been supplied to the said Comptroller

General, with certain Lines or Threads appearing in the Substance of such Paper, according to the Samples thereof which were delivered to and kept in the Office of the Comptroller General: Be it enacted, That all the Paper so made and supplied, or which hereafter shall be made or supplied, shall be subject to all the Enactments of this Act in the same Manner as if the same had been made and supplied under the Enactments herein contained.

Penalty for manufacturing or using Paper, Plates, &c., intended to imitate those used for Exchequer Bills.

20. Every Person who shall make, or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his Possession, not being legally authorized by the Treasury, and without lawful Excuse (the Proof whereof shall lie on the Person accused), any Instrument having therein any distinguishing Marks peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills, or any Machinery for working such distinguishing Marks into the Substance of any Paper, and intended to imitate such distinguishing Marks, or any Plate peculiarly employed for printing Exchequer Bills, or any Die peculiarly used for preparing any such Plate, or for sealing such Exchequer Bills, or any Plate or Die intended to imitate such Plates or Dies respectively; and also every Person, except as before excepted, who shall make or cause or procure to be made, or aid or assist in making, any Paper in the Substance of which shall appear any distinguishing Marks peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills, or any Part of such distinguishing Marks, and intended to imitate the same; and also every Person, except as before excepted, who shall knowingly have in his Possession, without lawful Excuse (the Proof whereof shall lie on the Person accused), any Paper whatever, in the Substance whereof shall appear any such distinguishing Marks, or any Part of such distinguishing Marks, and intended to imitate the same; and also every Person, except as before excepted, who shall cause or assist in causing any such distinguishing Marks, or any Part of such distinguishing Marks, and intended to imitate the same, to appear in the Substance of any Paper whatever, or who shall take or assist in taking any Impression of any such Plate or Die as aforesaid, shall be guilty of Felony.

Persons unlawfully in possession of such Paper, Plates, &c. guilty of Misdemeanor.

21. Every Person not lawfully authorized, and without lawful Excuse (the Proof whereof shall lie on the Person accused), who shall purchase, or receive, or take, and have in his Custody, any Paper manufactured and provided by or under the Directions of the Treasury, for the Purpose of being used as Exchequer Bills, before such Paper shall have been duly stamped, signed, and issued for public Use, or any such Plate or Die as aforesaid, shall for every such Offence be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court before whom he shall be tried, be imprisoned for any Period not more than *Three* Years nor less than *Six* Calendar Months.

Power of Treasury to cause Principal and Interest of Bills to be paid off.

22. It shall be lawful for the Treasury at any Time or Times to give Directions for paying off and discharging the Principal of any Exchequer Bills which may be issued in pursuance of any Act of Parliament, and the Interest thereon due and payable at the Bank of England, at such Time and in such Manner as to them shall seem most convenient and beneficial to the Public Service.

Exchequer Bills discharged to be cancelled.

23. All Exchequer Bills which from Time to Time shall be discharged and paid off, shall be cancelled and made void at the Bank of England by such Person or Persons who shall be appointed to pay off and discharge the same.

Old outstanding Exchequer Bills charged on Consolidated Fund.

24. All Exchequer Bills formerly charged by any Act or Acts on Supplies granted or to be granted by Parliament, or upon the Consolidated Fund, and which shall be outstanding after the passing of this Act, and the Interest thereon, shall be charged upon and be payable out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof.

Certain Provisions of the Act to extend to all outstanding Exchequer Bills.

25. All the Provisions and Penalties of this Act contained in Sections Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, and Twenty-three, shall be applied and extended to such Exchequer Bills made out and issued in pursuance of any former Act or Acts as shall remain outstanding after the Commencement of this Act.

Certain Provisions of this Act to extend to all Exchequer Bonds.

26. The several Sections Three, Four, Five, Six, Fourteen, Sixteen, Seventeen, Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, and Twenty-four of this Act, applicable to Exchequer Bills, shall apply and be construed to and in relation to all Exchequer Bonds to be made out and issued from and after the Commencement of this Act, under the Authority of any Act or Acts of Parliament, as well as to such Exchequer Bonds made out and issued in pursuance of any former Act or Acts, as shall remain outstanding after the Commencement of this Act, so far as the same are applicable, in like Manner and as fully and effectually to all Intents and Purposes as if such several Sections had been particularly repeated and enacted in this Act in relation to such Exchequer Bonds.

Permissive Registration of Exchequer Bonds.

27. It shall be lawful for the Treasury from Time to Time, by Warrant under their Hands, to provide, if they shall see fit, for the Registration of any such Exchequer Bonds as may be delivered up by the Holders thereof for that Purpose, and for the Delivery of Certificates of such Registration in lieu thereof, which shall be transferable by Entries in a Register which may be provided for that Purpose, in such Manner and subject to such Conditions and Restrictions as the Treasury may see fit; and every such Warrant shall from Time to Time be published in the London Gazette.

Interest of Exchequer Bonds of 16 Vict. c. 23. to be paid until they are redeemed.

28. And whereas, in pursuance of the said recited Acts of the Sixteenth Year of Her Majesty, Chapter Twenty-three, and of the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty-two, Exchequer Bonds to the Amount of Four hundred and eighteen thousand three hundred Pounds were made out and issued, and are still outstanding, with Coupons for Interest at the Rate of Two Pounds Ten Shillings per Centum per Annum, payable half-yearly until and including the First Day of September One thousand eight hundred and ninety-four, and thereafter are subject to Redemption on Payment of the Principal Sum contained in each Bond, at the Option of the Treasury, so soon as Parliament shall have made due Provision in respect thereof, and until such Redemption such Principal Sums will continue to carry Interest at the said Rate of Two Pounds Ten Shillings per Centum per Annum: Be it therefore further enacted, That until Parliament shall have made such Provision, and such Exchequer Bonds shall be redeemed in exercise of such Option as aforesaid, the Interest thereon shall, after the said First Day of September One thousand eight hundred and ninety-four, continue to be payable out of the Consolidated Fund at the said Rate of Two Pounds Ten Shillings per Centum per Annum on the same half-yearly Days and in the same Manner as before; and it shall be lawful for the Treasury to direct the Preparation and Issue of a like Amount of Exchequer Bonds, with Coupons for the half-yearly Interest due thereon, for any Term not exceeding *Six* Years from the said *First Day of September One thonsand eight hundred and ninety-four*, in exchange for and to replace such Exchequer Bonds with exhausted Coupons.

Payment to the Bank of England for Management.

29. There shall be paid to the Bank of England, out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof, for the Management of the unredeemed Public Debt in Exchequer Bills and Exchequer Bonds, for the Year commencing on the First Day of December One thousand eight hundred and sixty-five, an Allowance at the Rate of One hundred Pounds for every Million of such Exchequer Bills and Bonds which were outstanding on that Day; and such Payment shall be made on the First Day of December One thousand eight hundred and sixty-six; and the Allowance for Management of such Exchequer Bills and Bonds shall be computed and paid in like Manner in every succeeding Year, until Parliament shall otherwise direct.

Powers in former Acts of advancing Sums on Credit of Exchequer Bills and Bonds continued to Bank of England.

30. It shall be lawful for the Bank of England to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills or Bonds made out and issued in pursuance of any former Act or Acts, or to be made out and issued in pursuance of this Act, any Sum or Sums not exceeding in the whole the Principal Sums contained in such Exchequer Bills and Bonds, anything contained in an Act passed in the Fifth and Sixth Years of the Reign of King William and Queen Mary, Chapter Twenty, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

Commencement of Act.

31. This Act shall commence and take effect on and from the *First Day of July One thousand eight hundred and sixty-six.*

Exchequer Bills and Bonds.

A

BILL

To consolidate and amend the several Laws regulating the Preparation, Issue, and Payment of Exchequer Bills and Bonds.

(Prepared and brought in by Mr. Chancellor of the Exchequer and Mr. Childers.)

Ordered, by The House of Commons, *to be Printed,*
2 March 1866.

[Bill 46.]

Under 2 *oz.*

Exchequer Bills and Bonds Bill.

[AS AMENDED IN COMMITTEE.]

INDEX OF CLAUSES.

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30. Powers in former Acts of advancing Sums on Credit of Exchequer Bills and Bonds continued to Bank of England.
31. Commencement of the Act.

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Consolidate and amend the several Laws regulating the Preparation, Issue, and Payment of Exchequer Bills and Bonds.

WHEREAS it is expedient to amend the Laws regulating the Preparation, Issue, and Payment of Exchequer Bills and Bonds, and to consolidate the same so amended in One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

1. That an Act passed in the Forty-eighth Year of King George the Third, Chapter One, intituled "An Act for regulating the "issuing and paying-off of Exchequer Bills;" so much of an Act passed in the Fourth Year of King William the Fourth, Chapter Fifteen, intituled "An Act to regulate the Office of the "Receipt of His Majesty's Exchequer at Westminster," as relates to the Preparation and Issue of Exchequer Bills; an Act of the Fifth and Sixth Years of Her Majesty, Chapter Sixty-six, intituled "An Act for further regulating the Preparation and Issue of "Exchequer Bills;" an Act of the Twenty-fourth Year of Her Majesty, Chapter Five, intituled "An Act to amend the Law "relating to Supply Exchequer Bills, and to charge the same "on the Consolidated Fund;" an Act of the Twenty-fifth Year

Former Enactments repealed.
48 G. 3 c. 1.
4 W. 4. c. 15. s. 26.
5 & 6 Vict. c. 66.
24 Vict. c. 5.

25 Vict. c. 3.
16 Vict. c. 23.
16 & 17 Vict. c. 132.
27 & 28 Vict. c. 74.
28 & 29 Vict. c. 29.

of Her Majesty, Chapter Three, intituled "An Act to amend an "Act, intituled 'An Act to amend the Law relating to Supply "'Exchequer Bills, and to charge the same on the Consolidated "'Fund, and to repeal all Provisions by which Authority is given "'to the Commissioners of Her Majesty's Treasury to fund Ex-"'chequer Bills;'" and so much of the following Acts as regulates the Preparation, Issue, and Course of Payment of Exchequer Bonds, viz., of an Act of the Sixteenth Year of Her Majesty, Chapter Twenty-three, intituled "An Act for redeeming or commuting "the Annuity payable to the South Sea Company, and certain "Annuities of Three Pounds per Centum per Annum, and Two "Pounds Ten Shillings per Centum per Annum;" of an Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty-two, intituled "An Act to extend the "Provisions of an Act of the present Session for redeeming or "commuting the Annuity payable to the South Sea Company, "and certain Annuities of Three Pounds per Centum per Annum, "and to provide for Payments to be made under the said Act;" of an Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Seventy-four, intituled "An Act for raising the "Sum of One million six hundred thousand Pounds by Exchequer "Bonds, for the Service of the Year One thousand eight hundred "and sixty-four," and of an Act of the Twenty-eighth and Twenty-ninth Years of Her Majesty, Chapter Twenty-nine, intituled "An "Act for raising the Sum of One million Pounds for the Service of "the Year One thousand eight hundred and sixty-five," be hereby repealed, save only as to those Provisions in the said Acts by which former Statutes were repealed: Provided always, that nothing herein contained shall be construed to affect the Validity of any Exchequer Bill or Bills, Bond or Bonds, made out in pursuance of any of such Acts, and which shall be outstanding at the Commencement of this Act; but the Holders of such Exchequer Bills and Bonds shall possess all the Rights provided for in such Acts as fully and effectually as if such Provisions had been repeated and re-enacted in this Act.

Definition of Terms.

2. In this Act "the Treasury" shall mean the Commissioners of Her Majesty's Treasury for the Time being, or any Two or more of them; and "the Bank of England" shall mean the Governor and Company of the Bank of England.

Mode of preparing Exchequer Bills.

3. From and after the Commencement of this Act, all Exchequer Bills which shall be made out and issued under the Authority of any Act or Acts of Parliament shall be prepared and made out at the Bank of England, in such Method and Form, with Coupons for the Interest becoming due from Time to Time thereon for any

Term not exceeding Five Years from the Date thereof, and under such Regulations, as the Treasury shall think most safe and convenient; and it shall be lawful for the Treasury from Time to Time, by Warrant under their Hands, countersigned by the Comptroller and Auditor General, to cause or direct such Exchequer Bills to be prepared and made out, either of One common Sum, or different Sums, for the Principal Moneys therein contained, and to be respectively numbered arithmetically; and every such Exchequer Bill shall be signed by the Comptroller and Auditor General in his own Name: Provided always, that all Acts relating to Exchequer Bills directed by this Act to be done by the Comptroller and Auditor General shall, in the event of his Illness or Absence from his Office, be done by the Assistant Comptroller and Auditor, but no such Exchequer Bills shall be signed by them and put into Circulation until Notice of their Authority to sign Exchequer Bills under this Act shall have been duly notified in the "London Gazette:" Provided also, that until the Appointment of the Comptroller and Auditor General in pursuance of an Act of this Session, all Acts relating to Exchequer Bills directed by this Act to be done by him shall be done by the Comptroller General of the Exchequer, or, in the event of his Illness or Absence from his Office, by the Assistant Comptroller.

Counterfoils.

4. All the said Exchequer Bills shall be prepared and made out with such Counterfoils as shall be directed by the Treasury; and, unless otherwise directed by the Treasury, Two Counterfoils shall be made to every such Exchequer Bill; One of such Counterfoils shall remain in the Custody of the Bank of England for their Use, to prevent their being imposed upon by counterfeit or forged Bills; and when the Exchequer Bills shall have been paid off, cancelled, and discharged, and the Account thereof shall have been audited and allowed, it shall be lawful for the Treasury to authorize and direct the Bank of England to burn or otherwise destroy the said Counterfoils, as being of no further Use to the Public Service; the Second of such Counterfoils shall, unless by special Direction of the Treasury, be delivered to and remain in the Custody of the Comptroller and Auditor General, subject to such Directions as shall be given by the Treasury from Time to Time for keeping, or burning, or otherwise destroying the same.

Date and Rate of Interest on Exchequer Bills.

5. All such Exchequer Bills shall bear Date on such Days and shall bear Interest at such Rate as may from Time to Time be fixed by the Treasury, such Interest not to exceed the Rate of Five Pounds and Ten Shillings per Centum per Annum upon and in respect of the Principal Moneys respectively contained therein, and to be payable half-yearly at the Bank of England under such Regulations as shall be prescribed in that respect by the Treasury.

Mode of Issue of Exchequer Bills.

6. It shall be lawful for the Treasury, by Warrant under their Hands, countersigned by the Comptroller and Auditor General, to authorize and direct the Bank of England, from Time to Time, to issue and deliver such Amount and Number of Exchequer Bills as shall be prepared in pursuance of any Act of Parliament, to such Person or Officer as may be named in such Warrant, and such Person or Officer shall thereafter become chargeable and be charged with such Amount of Exchequer Bills as may be delivered to him, subject to such Directions as may be issued to him by the Treasury for the Sale and Application of the Proceeds of such Exchequer Bills, or for delivering such Bills in exchange for other Bills as herein-after enacted; and such Person or Officer shall be discharged from all Account in respect of such Exchequer Bills on proving to the Satisfaction of the Comptroller and Auditor General that he has duly obeyed the Directions of the Treasury: Provided always, that the Treasury shall not be so authorized to direct the Issue of such Exchequer Bills to such Person or Officer except for the Purpose of raising Money to be paid to the Account of Her Majesty's Exchequer at the Bank of England, and carried to the Account of the Consolidated Fund, or to be exchanged for other Exchequer Bills to be cancelled.

Exchequer Bills to be charged on the Consolidated Fund.

7. The Principal Moneys contained in all such Exchequer Bills, and all Interest due thereupon from Time to Time, shall be charged upon and be payable out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof.

Exchequer Bills to be advertised for Payment annually.

8. The Treasury shall, on some Day not later than Ten Days prior to the Expiration of each Twelve Months from the respective Dates of such Exchequer Bills, during their legal Currency, give Notice in the "London Gazette" of the Day or Days on which, if claimed, Payment will be made to the Holders of such Bills of the Principal Moneys therein contained, and of the Day or Days on which such Claim must be made, by Delivery of the said Bills for Examination; and such Payment shall be made to such Holders at the Bank of England under such Regulations as the Treasury shall prescribe; and if Payment of such Principal Moneys shall not be so claimed, then the Exchequer Bills not so paid off shall continue to have legal Currency for the next following Twelve Months, and so on from Year to Year until such Principal Moneys shall be claimed by and paid to such Holders, or until such Exchequer Bill, the Coupons of which shall be exhausted, shall be exchanged for new Bills as herein-after provided; but such Holders shall have no Title to claim Payment of such Principal Moneys at any Interval of Time between the Times fixed by such yearly Notices, except as provided in Section Nine of this Act.

Exchequer Bills to be current for Duties payable to Her Majesty.

9. At any Time in the last Six Months of every Year from the Day of the Date thereof in which Exchequer Bills shall have Currency by Law, such Exchequer Bills shall be received and taken, and shall pass and be current for the Principal Moneys contained therein, to all the Receivers and Collectors in the United Kingdom of the Customs, Excise, or any Duties or Revenue whatsoever, already granted, due, or payable, or which shall hereafter be granted, due, or payable to Her Majesty, Her Heirs and Successors, and also at the Bank of England on account of the Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, according to the Purport and true Meaning of this Act, and so on from Year to Year during the last Six Months of every Year in which such Exchequer Bills shall have Currency by Law, as provided in Section Eight of this Act; but such Exchequer Bills shall not be receivable for Duties granted to Her Majesty at any Time or Times except during such last Six Months of every such Year: Provided always, that all such Exchequer Bills as shall be tendered in Payment of Duties, by virtue of this Act, shall be transmitted by the Receivers thereof to the Bank of England for Examination; and no such Exchequer Bills shall be finally accepted in Payment of such Duties, until they shall have been so examined and verified by the said Bank of England.

Interest on Exchequer Bills paid for Revenue.

10. The Interest which shall from Time to Time be due upon any Exchequer Bill or Bills which may be payable in part of any Duties granted to Her Majesty, shall be allowed to all Persons, Bodies Politic and Corporate, paying the same to any Receiver or Collector of any Duties granted to Her Majesty, to the respective Days upon which such Bill or Bills shall be so paid: Provided always, that all Interest upon or for any such Bill or Bills so paid into the Hands of any of the said Receivers or Collectors, or into the Bank of England on account of the Exchequer, shall cease on and from the Day of such Payment.

When such Bills are paid in, Parties to write their Names and Date thereon.

11. And to the end it may be known for what Time such Bills bearing Interest shall, from Time to Time, remain in the Hands of such Receivers or Collectors, or in the Bank of England on account of the Exchequer, as aforesaid, the Person or Persons who shall pay any such Bill or Bills so bearing Interest to any Receiver or Collector of any Duties granted to Her Majesty, or into the Bank of England on account of the Exchequer, shall, at the Time of making such Payment, write upon each such Bill his, her, or their Name or Names, and the Day of the Month, in Words at Length, and the Year in which such Bill or Bills bearing Interest shall be so paid, all which the said Receivers and Collectors respectively, and also the proper Officers of the Bank of England, shall take care to see done and performed accordingly; to which respective Days the said Receivers and Collectors shall be allowed again the Interest which he or they shall have allowed or paid upon such respective Bill or Bills, upon his or their paying the same into the Bank of England on account of the Exchequer.

Power of Treasury to issue Bills in lieu of Bills paid off in Money or paid in for Duties.

12. Whenever Payment of the Principal Moneys of any such Exchequer Bills shall be claimed and shall be paid to any Holder thereof, and whenever any such Exchequer Bills shall be paid in for Duties granted to Her Majesty, under the Authority of this Act, it shall be lawful for the Treasury to order the Preparation and Issue of a like Amount of Exchequer Bills in place of the Exchequer Bills so paid off and so paid in for Duties: Provided always, that no Exchequer Bills shall be so prepared and issued in place of such Exchequer Bills so paid off and so paid in for Duties at any Period after the Expiration of the Financial Year ending on the Thirty-first Day of March, during which any such Exchequer Bills shall be paid off or paid in for Duties.

Power to Treasury to issue new Exchequer Bills, to replace other Exchequer Bills with exhausted Coupons.

13. Whenever any such Exchequer Bills issued under the Authority of any Act or Acts shall remain outstanding and undischarged, all the Coupons of which issued therewith for the Interest due thereon shall have become payable, it shall be lawful for the Treasury from Time to Time to order the Preparation and Issue of a like Amount of Exchequer Bills, with Coupons for the half-yearly Interest becoming due from Time to Time thereon, for any Term not exceeding Five Years from the Date thereof, in exchange for and to replace such Exchequer Bills with exhausted Coupons; and the Treasury shall, on some Day not later than Twenty-one Days prior to the Day on which the last half-yearly Coupons for Interest on such Bills shall become due, give Notice in the London Gazette of the Days on which such Exchequer Bills with exhausted Coupons may be brought in to be exchanged for new Bills with Coupons for the half-yearly Interest becoming due thereon, and of the Day or Days on which such new Bills will be delivered in exchange; provided that if such Bills advertized for Exchange shall not be brought in for Exchange within the Period stated in the Notice (or for Payment as herein-before provided), the Interest on such Bills shall cease on the Day of Exchange, and the Principal Moneys of such Bills, when thereafter presented for Payment, shall be paid off in Money.

Exchequer Bills defaced to be exchanged for new Bills.

14. In case any of such Exchequer Bills shall by any Accident be defaced, it shall be lawful for the Treasury, from Time to Time, to cause a new Bill or new Bills to be made out in lieu of the Bill or Bills which shall be so defaced, which Bill or Bills so defaced shall be cancelled; and such Bill or Bills so to be made out in lieu thereof shall have a like Currency, and shall in all respects be subject to the same Rules and Continuance as the Bill or Bills so defaced, and shall bear the same Numbers, Dates, and Principal Sums, and carry the like Interest, as was borne and carried by the Bill or Bills so cancelled respectively.

Penalty for forging or counterfeiting Exchequer Bills.

15. If any Person or Persons shall forge or counterfeit any such Exchequer Bill or Coupon for Interest, or any Indorsement or Writing thereupon or therein, or tender in Payment any such forged or counterfeited Bill, or any Exchequer Bill with such counterfeit Indorsement or Writing thereon, or shall demand to have such counterfeit Bill, or any Exchequer Bill with such counterfeit Indorsement or Writing thereupon or therein, exchanged for ready Money or for another Exchequer Bill, by any Person or Persons, Body or Bodies Politic or Corporate, who shall be obliged or required to exchange the same, or by any other Person or Persons whatsoever, knowing the Bill so tendered in Payment, or demanded to be exchanged, or the Indorsement or Writing thereupon or therein, to be forged or counterfeited, and with Intent to defraud Her Majesty, Her Heirs and Successors, or the Persons to be appointed to pay off the same, or any of them, or to pay any Interest thereupon, or the Person or Persons, Body or Bodies Politic or Corporate, who shall contract or circulate or exchange the same, or any of them, or any other Person or Persons, Body or Bodies Politic or Corporate, then every such Person or Persons so offending, being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer accordingly.

Provision in case of Loss, &c. by Casualty or Mischance, of Exchequer Bills.

16. In case Proof shall be made on the Oath or Oaths of One or more credible Witness or Witnesses, before the Lord Chief Baron and other the Barons of the Coif of Her Majesty's Court of Exchequer, or any of them, that any such Exchequer Bill has, by Casualty or Mischance, been lost, burnt, or otherwise destroyed, before the same shall have been paid off and discharged, and if by such Oath or Oaths the Numbers and Sums of such Bill or Bills shall be ascertained, and the said Chief Baron and other the said Barons, or any of them, before whom such Oath or Oaths shall be made, shall certify that he or they are satisfied with such Proof, then and in every such Case the Treasury are hereby authorized to cause the Money due upon such Bill or Bills so lost, burnt, or destroyed to be paid in like Manner as if the original Bill or Bills were brought in to be paid off; provided that the Person or Persons so receiving the Money do give Security to the Queen, to the good liking of the Person or Persons appointed or who shall be appointed as aforesaid to pay off and take in the said Bills, to pay in to the Receipt of the Exchequer, for the Use of the Public, so much Money as shall be paid upon such Certificate or Certificates, if the Bill or Bills so certified to be lost, burnt, or destroyed shall be thereafter produced.

Fractions of a Penny for Interest not payable.

17. As often as any Interest upon any such Exchequer Bill or Bills shall be demanded to be paid, the Persons charged with the Payment of the same shall not be obliged to pay for such Interest any less Sum than One Penny upon such Bill, in case a single Bill be produced, or for the Total of the Interest of such Bills, where Two or more shall be offered at One Time by the same Person.

Manufacture of Paper for Exchequer Bills.

18. The Bank of England, or such Person or Persons as the Treasury shall direct, shall cause to be provided such Paper and such Machinery as may be necessary for the making of Paper to be used as such Exchequer Bills, and to receive the Impression of the Dies, Plates, or other Instruments which have been or shall be provided, made, or used under the Direction of the Treasury, for Exchequer Bills, which Paper shall have such distinguishing Marks in the Substance of the same as the Treasury shall from Time to Time order; and it shall be lawful for the Treasury from Time to Time, as they shall see fit, to direct the Alteration of any such distinguishing Marks, either by the Removal of any of them, and the Substitution of other distinguishing Marks, or by any Change in the Position or Arrangement thereof; and all such Machinery shall be provided, and all such Paper shall be made, under such Regulations and by such Person or Persons as the said Bank of England or other Person or Persons directed by the Treasury shall from Time to Time appoint for that Purpose; and all the said Machinery shall be kept by such Officer or Officers or other Person as the said Bank of England or other Person or Persons directed by the Treasury shall appoint; and all the Paper so made shall, as the same is required, be delivered over to the Bank of England, or to such Officer or Warehouse Keeper as they shall direct to receive and take charge of the same.

As to present Contracts.

19. And whereas certain Quantities of Paper have been made and manufactured, under the Superintendence of Officers of the Inland Revenue, by Directions of the Comptroller General of the Exchequer and the Treasury, and have been supplied to the said Comptroller

General, with certain Lines or Threads appearing in the Substance of such Paper, according to the Samples thereof which were delivered to and kept in the Office of the Comptroller General: Be it enacted, That all the Paper so made and supplied, or which hereafter shall be made or supplied, shall be subject to all the Enactments of this Act in the same Manner as if the same had been made and supplied under the Enactments herein contained.

Penalty for manufacturing or using Paper, Plates, &c., intended to imitate those used for Exchequer Bills.

20. Every Person who shall make, or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his Possession, not being legally authorized by the Treasury, and without lawful Excuse (the Proof whereof shall lie on the Person accused), any Instrument having therein any distinguishing Marks peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills, or any Machinery for working such distinguishing Marks into the Substance of any Paper, and intended to imitate such distinguishing Marks, or any Plate peculiarly employed for printing Exchequer Bills, or any Die peculiarly used for preparing any such Plate, or for sealing such Exchequer Bills, or any Plate or Die intended to imitate such Plates or Dies respectively; and also every Person, except as before excepted, who shall make or cause or procure to be made, or aid or assist in making, any Paper in the Substance of which shall appear any distinguishing Marks peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bills, or any Part of such distinguishing Marks, and intended to imitate the same; and also every Person, except as before excepted, who shall knowingly have in his Possession, without lawful Excuse (the Proof whereof shall lie on the Person accused), any Paper whatever, in the Substance whereof shall appear any such distinguishing Marks, or any Part of such distinguishing Marks, and intended to imitate the same; and also every Person, except as before excepted, who shall cause or assist in causing any such distinguishing Marks, or any Part of such distinguishing Marks, and intended to imitate the same, to appear in the Substance of any Paper whatever, or who shall take or assist in taking any Impression of any such Plate or Die as aforesaid, shall be guilty of Felony.

Persons unlawfully in possession of such Paper, Plates, &c. guilty of Misdemeanor.

21. Every Person not lawfully authorized, and without lawful Excuse (the Proof whereof shall lie on the Person accused), who shall purchase, or receive, or take, and have in his Custody, any Paper manufactured and provided by or under the Directions of the Treasury, for the Purpose of being used as Exchequer Bills, before such Paper shall have been duly stamped, signed, and issued for public Use, or any such Plate or Die as aforesaid, shall for every such Offence be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court before whom he shall be tried, be imprisoned for any Period not more than Three Years nor less than Six Calendar Months.

Power of Treasury to cause Principal and Interest of Bills to be paid off.

22. It shall be lawful for the Treasury at any Time or Times to give Directions for paying off and discharging the Principal of any Exchequer Bills which may be issued in pursuance of any Act of Parliament, and the Interest thereon due and payable at the Bank of England, at such Time and in such Manner as to them shall seem most convenient and beneficial to the Public Service.

Exchequer Bills discharged to be cancelled.

23. All Exchequer Bills which from Time to Time shall be discharged and paid off, shall be cancelled and made void at the Bank of England by such Person or Persons who shall be appointed to pay off and discharge the same.

Old outstanding Exchequer Bills charged on Consolidated Fund.

24. All Exchequer Bills formerly charged by any Act or Acts on Supplies granted or to be granted by Parliament, or upon the Consolidated Fund, and which shall be outstanding after the passing of this Act, and the Interest thereon, shall be charged upon and be payable out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof.

Certain Provisions of the Act to extend to all outstanding Exchequer Bills.

25. All the Provisions and Penalties of this Act contained in Sections Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, and Twenty-three, shall be applied and extended to such Exchequer Bills made out and issued in pursuance of any former Act or Acts as shall remain outstanding after the Commencement of this Act.

Certain Provisions of this Act to extend to all Exchequer Bonds.

26. The several Sections Three, Four, Five, Six, Fourteen, Sixteen, Seventeen, Eighteen, Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, and Twenty-four of this Act, applicable to Exchequer Bills, shall apply and be construed to and in relation to all Exchequer Bonds to be made out and issued from and after the Commencement of this Act, under the Authority of any Act or Acts of Parliament, as well as to such Exchequer Bonds made out and issued in pursuance of any former Act or Acts, as shall remain outstanding after the Commencement of this Act, so far as the same are applicable, in like Manner and as fully and effectually to all Intents and Purposes as if such several Sections had been particularly repeated and enacted in this Act in relation to such Exchequer Bonds: Provided always, that such Exchequer Bonds may be made out and issued from and after the Commencement of this Act with Coupons for the Interest becoming due thereon from Time to Time for any Term not exceeding Six Years from the Date thereof.

27. It

Permissive Registration of Exchequer Bonds.

27. It shall be lawful for the Treasury from Time to Time, by Warrant under their Hands, to provide, if they shall see fit, for the Registration of any such Exchequer Bonds as may be delivered up by the Holders thereof for that Purpose, and for the Delivery of Certificates of such Registration in lieu thereof, which shall be transferable by Entries in a Register which may be provided for that Purpose, in such Manner and subject to such Conditions and Restrictions as the Treasury may see fit; and every such Warrant shall from Time to Time be published in the London Gazette.

Interest of Exchequer Bonds of 16 Vict. c. 23. to be paid until they are redeemed.

28. And whereas, in pursuance of the said recited Acts of the Sixteenth Year of Her Majesty, Chapter Twenty-three, and of the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty-two, Exchequer Bonds to the Amount of Four hundred and eighteen thousand three hundred Pounds were made out and issued, and are still outstanding, with Coupons for Interest at the Rate of Two Pounds Ten Shillings per Centum per Annum, payable half-yearly until and including the First Day of September One thousand eight hundred and ninety-four, and thereafter are subject to Redemption on Payment of the Principal Sum contained in each Bond, at the Option of the Treasury, so soon as Parliament shall have made due Provision in respect thereof, and until such Redemption such Principal Sums will continue to carry Interest at the said Rate of Two Pounds Ten Shillings per Centum per Annum: Be it therefore further enacted, That until Parliament shall have made such Provision, and such Exchequer Bonds shall be redeemed in exercise of such Option as aforesaid, the Interest thereon shall, after the said First Day of September One thousand eight hundred and ninety-four, continue to be payable out of the Consolidated Fund at the said Rate of Two Pounds Ten Shillings per Centum per Annum on the same half-yearly Days and in the same Manner as before; and it shall be lawful for the Treasury to direct the Preparation and Issue of a like Amount of Exchequer Bonds, with Coupons for the half-yearly Interest due thereon, for any Term not exceeding Six Years from the said First Day of September One thousand eight hundred and ninety-four, in exchange for and to replace such Exchequer Bonds with exhausted Coupons.

Payment to the Bank of England for Management.

29. There shall be paid to the Bank of England, out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof, for the Management of the unredeemed Public Debt in Exchequer Bills and Exchequer Bonds, for the Year commencing on the First Day of December One thousand eight hundred and sixty-five, an Allowance at the Rate of One hundred Pounds for every Million of such Exchequer Bills and Bonds which were outstanding on that Day; and such Payment shall be made on the First Day of December One thousand eight hundred and sixty-six; and the Allowance for Management of such Exchequer Bills and Bonds shall be computed and paid in like Manner in every succeeding Year, until Parliament shall otherwise direct.

Powers in former Acts of advancing Sums on Credit of Exchequer Bills and Bonds continued to Bank of England.

30. It shall be lawful for the Bank of England to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills or Bonds made out and issued in pursuance of any former Act or Acts, or to be made out and issued in pursuance of this Act, any Sum or Sums not exceeding in the whole the Principal Sums contained in such Exchequer Bills and Bonds, anything contained in an Act passed in the Fifth and Sixth Years of the Reign of King William and Queen Mary, Chapter Twenty, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

Commencement of Act.

31. This Act shall commence and take effect on and from the First Day of April One thousand eight hundred and sixty-seven.

Exchequer Bills and Bonds.

A
BILL
[AS AMENDED IN COMMITTEE]

To consolidate and amend the several Laws regulating the Preparation, Issue, and Payment of Exchequer Bills and Bonds.

(Prepared and brought in by Mr. Chancellor of the Exchequer and Mr. Childers.)

Ordered, by The House of Commons, *to be Printed,*
16 *March* 1866.

[Bill 74.]

Under 2 *oz.*

A

BILL

TO

Simplify and lessen the Expense of the Execution of Deeds by married Women, and to amend the Law as regards the Effect of Deeds executed under Powers of Attorney.

Preamble.

3 & 4 W. 4. c. 74.

WHEREAS under and by virtue of an Act passed in the Third and Fourth Years of the Reign of His late Majesty King William the Fourth, intituled "An Act for the "Abolition of Fines and Recoveries, and for the Substitution of "more simple Modes of Assurance," a married Woman is enabled, with her Husband's Concurrence, to dispose by Deed of Lands, and of Money subject to be invested in the Purchase of Lands, and also to dispose of, release, surrender, or extinguish any Estate which she alone, or she and her Husband in her Right, may have in any Lands or any such Money, and also to release or extinguish any Power vested in her in regard to any Lands or any such Money as aforesaid, or in regard to any Estate in any Lands or in any such Money as aforesaid, as fully and effectually as she could do if she were a Feme Sole, save and except that no such Disposition is valid and effectual unless the Deed to be executed by her be produced and acknowledged before a Judge of One of the Superior Courts at Westminster, or before a Master in Chancery, or before

Two Perpetual Commissioners or Two Special Commissioners to be appointed under the Provisions of the said Act; and the Person or Persons taking the Acknowledgment are to make and return to the Court of Common Pleas a Certificate of the Acknowledgment, which is to be filed in the said Court; and various Forms and Regulations prescribed by the said Act and by the said Court of Common Pleas have to be complied with, to make such Disposition and Acknowledgment effectual:

17 & 18 Vict. c. 75.

And whereas by another Act, passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, further Provisions were made with regard to the Acknowledgment of Deeds by married Women:

20 & 21 Vict. c. 57.

And whereas by another Act, passed in the Twentieth and Twenty-first Years of the Reign of Her present Majesty, married Women are enabled to dispose by Deed of certain reversionary Interests in Personal Estate, and to release Powers over such Estate, and also their Rights to a Settlement out of such Estate, but so that every Deed to be executed by a married Woman for any of the Purposes of that Act shall be acknowledged by her, and be otherwise perfected, in the Manner prescribed by the said first-mentioned Act:

And whereas it is desirable to simplify and lessen the Expense of the Execution of Deeds by married Women, and it is also desirable to amend the Law as regards the Effect of Deeds executed under Powers of Attorney:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From 31st Oct. 1866 Provisions in said recited Acts as to Acknowledgment of Deeds by married Women repealed.

1. That from and after the *Thirty-first Day of October One thousand eight hundred and sixty-six* all the Provisions contained in the said Three several Acts herein-before mentioned, or any or either of them, with regard to the Acknowledgment of Deeds by married Women before a Judge of One of the Superior Courts at Westminster, or a Master in Chancery, or before Two of the Perpetual Commissioners or Two Special Commissioners appointed as in the said first-mentioned Act is provided, and the filing and Completion of the Certificate of such Acknowledgment, or otherwise in relation thereto, shall be and the same are hereby repealed.

Saving as to Acknowledgment taken before that Day where Proceedings not then completed.

2. Provided always, That all the Powers and Provisions of the said Acts, or any or either of them, shall remain in full Force and Effect with regard to any Acknowledgment by a married Woman which may have been taken on or before the said Thirty-first Day of October One thousand eight hundred and sixty-six, but the

Proceedings with regard to which shall not be completed on that Day.

Mode of executing Deeds by married Women after 31st Oct. 1866.

3. From and after the *Thirty-first Day of October One thousand eight hundred and sixty-six* every Deed to be executed by a married Woman, and which by the said Acts or any of them is required to be acknowledged, shall be valid and effectual if produced and acknowledged by her as her Act and Deed before a Judge of One of the Superior Courts at Westminster, or before any Perpetual Commissioner heretofore appointed under the Provisions of the first-mentioned Act, or before any Commissioner to administer Oaths in Chancery in England, or any London Commissioner to administer Oaths in Chancery, or a Special Commissioner to be appointed as herein-after provided, and if the Provisions contained in the said Acts for giving Validity to Deeds executed by married Women (except such of them as relate to Acknowledgment) be observed and complied with.

Where married Woman resident abroad or in ill Health, a Special Commissioner to be appointed.

4. In every Case where, by reason of Residence beyond Seas, or ill Health, or any other sufficient Cause, any married Woman shall be prevented from making the Acknowledgment required by this Act before a Judge or any such Commissioner as aforesaid, it shall be lawful for the Court of Common Pleas at Westminster, or any Judge of that Court, to issue a Commission specially appointing any Person therein named to be a Commissioner to take the Acknowledgment by any married Woman, to be therein named, of any such Deed as aforesaid: Provided always, that every such Commission shall be made returnable within such Time, to be therein expressed, as the said Court or Judge shall think fit, and shall be in the Form or to the effect set forth in the Schedule hereto.

Commissioner not to be Party interested.

5. No Commissioner taking any Acknowledgment under this Act shall be a Person who is in any Manner interested in the Transaction giving Occasion for such Acknowledgment, or concerned therein as Attorney, Solicitor, or Agent, or as Clerk to any Attorney, Solicitor, or Agent so interested or concerned.

The Judge or Commissioner, before taking Acknowledgment, to examine married Woman apart from her Husband.

6. Every such Judge or Commissioner, before taking the Acknowledgment by any married Woman of any Deed by which any Disposition, Release, Surrender, or Extinguishment shall be made by her under the said recited Acts or any of them, shall examine her apart from her Husband touching her Knowledge of such Deed, and shall ascertain whether she freely and voluntarily consents to such Deed, and unless she freely and voluntarily consents to such Deed he shall not accept such Acknowledgment by her.

Judge or Commissioner taking Acknowledgment to sign Memorandum of same on Deed.

7. When a married Woman shall acknowledge any such Deed as aforesaid, the Judge or Commissioner taking such Acknowledgment shall sign a Memorandum, to be indorsed on or written at the Foot or in the Margin of such Deed in the Form set forth in the Schedule hereto; and such Memorandum, when so signed, shall be conclusive Evidence of such Acknowledgment, and that all the Provisions of this Act in relation thereto were duly observed and complied with.

Fee to be taken by Commissioner.

8. Every such Commissioner shall be entitled to charge and take for the Examination of every married Woman and her Acknowledgment of any such Deed, and for the Memorandum to be signed as aforesaid by such Commissioner, and for his Signature thereto, a Fee not exceeding *Ten Shillings.*

Deed executed under special Power of Attorney to be valid, notwithstanding Death of Person appointing Attorney.

9. When any Deed shall be executed, under a Power or Letter of Attorney, by an Attorney specially appointed for the Purpose of executing such Deed, or for carrying out the special Transaction giving occasion for such Deed, such Execution shall be valid and effectual to all Intents and Purposes, although the Person appointing such Attorney may have died in the Interval between the Execution of the Power or Letter of Attorney and the Execution of such Deed.

SCHEDULES.

Special Commission.

I One of the Justices of Her Majesty's Court of Common Pleas at Westminster, do, by virtue of the Statute in that Case made and provided, appoint Special Commissioner to take the Acknowledgment of the Wife of now residing at of any Deed by which it is intended that any Disposition, Release, Surrender, or Extinguishment shall be made by her the said as a married Woman, pursuant to the Statute 3 & 4 Will. 4. c. 74. or pursuant to the Statute 20 & 21 Vict. c. 57., or under the Provisions of the Statute 29 & 30 Vict. c. [*this Act*]: And I do order and direct that this Commission shall be executed and returned to the proper Office of this Court on or before the Day of 18 .

SCHEDULE.

Memorandum of Acknowledgment.

This Deed was this Day produced before me, and acknowledged by therein named to be her Act and Deed, previous to which Acknowledgment the said was examined by me separately and apart from her Husband, touching her Knowledge of the Contents of this Deed, and her Consent thereto, and declared the same to be freely and voluntarily executed by her.

To be signed by
Judge, Commissioner, *or* Special
Commissioner, *as the Case may be.*

Execution of Deeds.

A

BILL

To simplify and lessen the Expense of the Execution of Deeds by married Women, and to amend the Law as regards the Effect of Deeds executed under Powers of Attorney.

(Prepared and brought in by
Mr. Goldney and Mr. Powell.)

Ordered, by The House of Commons, *to be Printed,*
25 *April* 1866.

[Bill 122.]

Under 1 *oz.*

A

BILL

TO

Continue various expiring Acts.

WHEREAS the several Acts mentioned in the First Column of the Schedule hereto are wholly, or as to certain Provisions thereof, limited to expire at the Times specified in respect of such Acts in the Fourth Column of the said Schedule: And whereas it is expedient to continue such Acts, in so far as they are temporary in their Duration, for the Times mentioned in respect of such Acts respectively in the Fifth Column of the said Schedule: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as the "Expiring Laws Continuance Act, 1866." Short Title.

2. The Acts mentioned in Column One of the said Schedule, and the Acts, if any, amending the same, shall, in so far as such Acts or any Provisions thereof are temporary in their Duration, be continued until the Times respectively specified in respect of such Acts or Provisions in the Fifth Column of the said Schedule. Continuance of Acts in Schedule.

SCHEDULE.

1. Original Acts.	2. Amending Acts.	3. How far temporary.	4. Time of Expiration of temporary Provisions.	5. Continued until
3 & 4 Vict. c. 89. Poor Rates, Stock in Trade Exemption.	- - -	Whole Act -	1st October 1866, and End of then next Session. (28 & 29 Vict. c. 119.)	1st October 1867, and End of then next Session.
4 & 5 Vict. c. 30. Survey of Great Britain.	19 & 20 Vict. c. 61.	Whole Act -	31st December 1866 - (24 & 25 Vict. c. 65.)	31st December 1867.
5 & 6 Vict. c. 123. Lunatic Asylums (Ireland).	- - -	Whole Act -	1st August 1865, and End of then next Session. (24 & 25 Vict. c. 57.)	1st August 1867, and End of then next Session.
10 Vict. c. 32. Landed Property Improvement (Ireland).	13 & 14 Vict. c. 31.	As to Powers of Commissioners.	1st January 1866, and End of then next Session. (28 & 29 Vict. c. 119.)	1st January 1867, and End of then next Session.
10 & 11 Vict. c. 90. Poor Laws (Ireland).	14 & 15 Vict. c. 68.	As to Appointment of Commissioners, &c.	23d July 1866, and End of then next Session. (28 & 29 Vict. c. 119.)	23d July 1867, and End of then next Session.
10 & 11 Vict. c. 109. Poor Law.	- - -	As to Appointment of Commissioners, &c.	23d July 1866, and End of then next Session. (28 & 29 Vict. c. 105.)	23d July 1867, and End of then next Session.
11 & 12 Vict. c. 32. County Cess (Ireland).	20 & 21 Vict. c. 7.	Whole Act -	1st August 1866, and End of then next Session. (28 & 29 Vict. c. 119.)	1st August 1867, and End of then next Session.
11 & 12 Vict. c. 107. Sheep and Cattle diseased.	16 & 17 Vict. c. 62. 29 Vict. c. 15.	Whole Act -	1st August 1866, and End of then next Session. (28 & 29 Vict. c. 119.)	1st August 1867, and End of then next Session.
14 & 15 Vict. c. 104. Episcopal and Capitular Estates Management.	17 & 18 Vict. c. 116. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124.	Whole Act -	1st January 1866, and End of then next Session. (28 & 29 Vict. c. 119.)	1st January 1867, and End of then next Session.
19 & 20 Vict. c. 36. Preservation of the Peace (Ireland).	23 & 24 Vict. c. 138. 28 & 29 Vict. c. 118.	Whole Act -	1st July 1866, and End of then next Session. (28 & 29 Vict. c. 118.)	1st July 1867, and End of then next Session.
21 & 22 Vict. c. 89. Lunatics (Scotland) Act Amendment.	27 & 28 Vict. c. 59.	As to Deputy Commissioners.	1st August 1866 - (27 & 28 Vict. c. 59.)	1st August 1867.

1. Original Acts.	2. Amending Acts.	3. How far temporary.	4. Time of Expiration of temporary Provisions.	5. Continued until
24 & 25 Vict. c. 109. Salmon Fishery (England) Act.	- - -	As to Appointment of Inspectors, s. 31.	1st October 1866 - (28 & 29 Vict. c. 119.)	1st October 1867, and End of then next Session.
	28 & 29 Vict. c. 121.	As to Appointment of the Special Commissioners for English Fisheries.	5th July 1867, and End of then next Session.	
25 & 26 Vict. c. 97. Salmon Fisheries (Scotland) Act.	26 & 27 Vict. c. 50. 27 & 28 Vict. c. 118.	As to Powers of Commissioners, &c.	1st January 1867 - (28 & 29 Vict. c. 119.)	1st January 1868, and End of then next Session.
26 & 27 Vict. c. 105. Promissory Notes.	- - -	Whole Act -	28th July 1866, and End of then next Session. (26 & 27 Vict. c. 105.)	28th July 1867, and End of then next Session.
26 & 27 Vict. c. 114. Salmon Fisheries (Ireland).	- - -	As to Duration of Office of the Special Commissioners for Irish Fisheries, and all Powers, Rights, and Privileges pertaining thereto.	28th July 1866, and End of then next Session. (28 & 29 Vict. c. 119.)	28th July 1867, and End of then next Session.
27 & 28 Vict. c. 20. Promissory Notes and Bills of Exchange (Ireland).	- - -	Whole Act -	13th May 1866, and End of then next Session. (27 & 28 Vict. c. 20.)	13th May 1867, and End of then next Session.
27 & 28 Vict. c. 92. Public Schools.	- - -	Whole Act -	1st August 1866 - (28 & 29 Vict. c. 119.)	1st August 1867, and End of then next Session.
28 & 29 Vict. c. 46. Militia Ballots Suspension.	- - -	Whole Act -	1st October 1866 - (28 & 29 Vict. c. 46.)	1st October 1867.

Expiring Laws Continuance.

A

BILL

To continue various expiring Acts.

(*Prepared and brought in by*
Mr. Hunt, Mr. Secretary Walpole, and
Mr. Solicitor General.)

Ordered, by The House of Commons, *to be Printed*,
30 *July* 1866.

[Bill 255.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act for the Amendment of the Law relating to Treaties of Extradition.

Preamble.

WHEREAS Difficulties have been experienced in carrying into execution Treaties for the Extradition of Persons accused of Crimes between Her Majesty and the Sovereigns or Governments of certain Foreign States: And whereas the Statutes now in force for this Purpose have been found insufficient: And whereas it is expedient to amend the same, and to give greater Facilities than at present exist under the aforesaid Statutes for the Admission in Evidence of judicial or official Documents or Copies of Documents:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Warrants of Arrest and Copies of Depositions to be received in Evidence if authenticated in

1. That Warrants of Arrest and Copies of Depositions signed or taken by or before a Judge or competent Magistrate in any Foreign State with which Her Majesty may have entered into or may hereafter enter into any Treaty for the Extradition of fugitive Offenders or Persons accused of Crimes shall henceforth be received in Evidence, if authenticated in the Manner following, that is to

say,

manner specified by this Act.

say, if the Warrant of Arrest purports to be signed by a Judge or other competent Magistrate of the Country in which the same shall have been issued, and if the Copies of Depositions purport to be certified under the Hand of such Judge or Magistrate to be true Copies of the original Depositions, and if the Signature of the Judge or Magistrate in each Case shall be authenticated in the Manner usual in the respective States or Countries by the proper Officer of the Department of the Minister of Justice, and sealed with the official Seal of such Minister; and all Courts of Justice and Magistrates in Her Majesty's Dominions shall take judicial Notice of such official Seal, and shall admit the Documents so authenticated by it to be received in Evidence without further Proof.

This Act to be construed with 8 & 9 Vict. c. 113. and 14 & 15 Vict. c. 99.

2. This Act shall be construed with an Act passed in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred and thirteen, intituled "An Act to facilitate the Admission "in Evidence of official and other Documents;" and also with an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty, Chapter Ninety-nine, intituled "An Act to amend "the Law of Evidence."

Extradition Treaties Act Amendment. [H.L.]

A

B I L L

INTITULED

An Act for the Amendment of the Law
relating to Treaties of Extradition.

(*Brought from the Lords* 26 *July* 1866.)

Ordered, by The House of Commons, *to be Printed*,
26 *July* 1866.

[Bill 247.]

Under 1 *oz.*

A

BILL

TO

Provide for the Collection of Fees in Public Departments and Offices by means of Stamps.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Public Offices Fees Act, 1866."

From and after Time appointed by Treasury Fees payable in any Public Office to be collected by means of Stamps.

2. It shall be lawful for the Commissioners of Her Majesty's Treasury, by Notice published in the London Gazette, to declare and direct that from and after the Time specified in such Notice all or any of the Fees for the Time being payable in Money in any Public Department or Office connected with the Public Service, or to the Officers thereof, shall be collected by means of Stamps; and every such Notice shall be in accordance with the Form given in the Schedule to this Act, with such Variations as Circumstances may require; and from and after the Time specified in any such Notice the Fees therein mentioned shall be received by Stamps denoting the Amount of Fees payable, and not in Money.

Stamps to be impressed or adhesive.

3. All or any Stamps to be used under this Act shall be impressed or adhesive as the Commissioners of Her Majesty's Treasury from Time to Time direct.

4. When

Stamps to be affixed to or impressed on Documents.

4. When any Fee comprised in any such Notice is payable in respect of a Document, the Stamp denoting the Amount of Fee shall be affixed to or impressed on such Document; and when any such Fee is payable otherwise than in respect of a Document the Stamp denoting the Amount of Fee shall be affixed to or impressed on such Document, as the Commissioners of Her Majesty's Treasury may require to be used.

Regulations to be made by Treasury.

5. The Commissioners of Her Majesty's Treasury may from Time to Time make such Regulations as seem fit regarding—

The Use of Stamps under this Act:

The Application of such Stamps to Documents in use or required to be used as aforesaid:

The Cancellation of adhesive Stamps.

Nothing to interfere with Powers regarding Alteration of Amount of Fees.

6. Nothing in this Act shall interfere with the Exercise by any Authority of any Power of altering or otherwise regulating the Amount of any Fees for the Time being payable in any Department or Office, or to the Officers thereof, or of any Salaries or other Charges for the Time being payable thereout or charged thereon.

Separate Account to be kept of Money received for Stamps.

7. The Commissioners of Inland Revenue shall keep a separate Account of the Money received for Stamps under this Act in respect of every Department or Office, and the Money so received, subject to the Deduction thereout of any Expenses incurred by the Commissioners of Inland Revenue in the Execution of this Act, and to the Payment or Discharge thereout in such Manner as the Commissioners of Her Majesty's Treasury from Time to Time direct of Salaries or other Charges for the Time being by Law charged or made payable out of any Fees so received by Stamps, shall, under the Direction of the Commissioners of Her Majesty's Treasury, be carried to and shall form Part of the Consolidated Fund.

Accounts to be laid before Parliament.

8. Each Account so kept by the Commissioners of Inland Revenue for every Year ending the *Thirty-first Day of March*, together with an Account for every such Year, prepared under the Direction of the Commissioners of Her Majesty's Treasury, showing the Salaries and other Charges for the Time being charged on or payable out of the Fees received by the Stamps to which such Account relates, shall be laid before both Houses of Parliament within *One Month* after the Termination of such Year of Account, if Parliament be then sitting, or if not then within One Month next after the next Meeting of Parliament.

THE SCHEDULE.

COMPANIES REGISTRATION OFFICE
(*or as the Case may be*).

NOTICE under the "Public Offices Fees Act, 1866."

The Lords Commissioners of Her Majesty's Treasury, in pursuance of the Provisions of the said Act, hereby declare and direct, That from and after the Day of the Fees for the Time being payable in the Companies Registration Office (*or as the Case may be*) or to the Officers thereof, shall be collected by means of Stamps.

Fees (Public Departments).

A

BILL

To provide for the Collection of Fees in Public Departments and Offices by means of Stamps.

(*Prepared and brought in by*
Mr. Dodson, Mr. Hunt, and Mr. Chancellor of the Exchequer.)

Ordered, by The House of Commons, *to be Printed*,
19 *July* 1866.

[Bill 223.]

Under 1 *oz.*

A

BILL

TO

Repeal certain Portions of the Act of Uniformity relating to the Declaration made by Fellows of Colleges.

Preamble.

13 & 14 Car. 2. c. 4.

WHEREAS by a Statute passed in the Session of Parliament which sat in the Thirteenth and Fourteenth Years of the Reign of King Charles the Second it was enacted, by Section Eight, "That every Dean, Canon, and Prebendary of " every Cathedral or Collegiate Church, and all Masters and other " Heads, Fellows, Chaplains, and Tutors of or in any College, Hall, " House of Learning, or Hospital, and every public Professor and " Reader in either of the Universities and in any College elsewhere, and every Parson, Vicar, Curate, Lecturer, and every " other Person in Holy Orders, and every Schoolmaster keeping " any public or private School, and every Person instructing or " teaching any Youth in any House or private Family as a Tutor " or Schoolmaster, who upon the First Day of May which shall be " in the Year of our Lord God One thousand six hundred and " sixty-two, or at any Time thereafter, shall be Incumbent or have " Possession of any Deanery, Canonry, Prebend, Mastership, Headship, Fellowship, Professor's Place or Reader's Place, Parsonage, " Vicarage, or any other Ecclesiastical Dignity or Promotion, or of

" any Curate's Place, Lecture, or School, or shall instruct or teach " any Youth as Tutor or Schoolmaster, shall, before the Feast Day " of Saint Bartholomew which shall be in the Year of our Lord One " thousand six hundred and sixty-two, or at or before his or their " respective Admission to be Incumbent or have Possession afore- " said, subscribe the Declaration or Acknowledgment following:" And by Section Nine of the same Act it was enacted as follows: " I, A.B., do declare that it is not lawful upon any Pretence what- " soever to take Arms against the King, and that I do abhor that " traitorous Position of taking Arms by his Authority against his " Person or against those that are commissioned by him; and that " I will conform to the Liturgy of the Church of England as it is " now by Law established; and I do declare that I do hold these " Ties no Obligation upon me or any other Person from the Oath " commonly called the Solemn League and Covenant, to endeavour " any Change or Alteration of Government, either in Church or " State, and that the same was in itself an unlawful Oath, and " imposed on the Subjects of this Realm against the known Laws " and Liberties of this Kingdom:" And it was by the Tenth Section of the same Act enacted as follows: " Which said Declaration and " Acknowledgment shall be subscribed by any of the said Masters " and other Heads, Fellows, Chaplains, and Tutors of or in any " College, Hall, or House of Learning, and by every public Pro- " fessor and Reader in either of the Universities, before the Vice- " Chancellor of the respective Universities for the Time being, or " his Deputy, and the said Declaration or Acknowledgment shall be " subscribed before the respective Archbishop, Bishop, or Ordinary " of the Diocese by every other Person hereby enjoined to subscribe " the same, upon pain that all and any of the Persons aforesaid " failing in such Subscription shall lose and forfeit such respective " Deanery, Canonry, Prebend, Mastership, Headship, Fellowship, " Professor's Place, Reader's Place, Parsonage, Vicarage, Eccle- " siastical Dignity or Promotion, Curate's Place, Lecture, and " School, and shall be utterly disabled and ipso facto deprived of " the same, and that every such respective Deanery, Canonry, " Prebend, Mastership, Headship, Fellowship, Professor's Place, " Reader's Place, Parsonage, Vicarage, Ecclesiastical Dignity or " Promotion, Curate's Place, Lecture, and School, shall be void, " as if such Person so failing were naturally dead:"

And whereas so much of the Declaration in the said Ninth Section contained as does not relate to Conformity to the Liturgy of the Church of England hath already expired or been repealed:

And whereas the said Eighth Section herein-before recited hath been wholly repealed by an Act passed in the last Session of Parliament:

28 & 29 Vict. c. 122.

And whereas by the same Act it was enacted, with respect to any Person in Holy Orders appointed to any Ecclesiastical Dignity, Benefice, or Office, the making and subscribing of the Declaration of Assent therein contained should be substituted for the making any other Declaration or Subscription with respect to the Thirty-nine Articles or the Book of Common Prayer or the Liturgy required to be made by any such Person:

And whereas it is expedient entirely to repeal the said recited Ninth and Tenth Sections of the first-recited Act:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of 9th and 10th Sections of 13 & 14 Car. 2. c. 4.

1. That the said Ninth and Tenth Sections of the said Act of King Charles the Second shall be and they are hereby wholly repealed.

Fellows of Colleges Declaration.

A

BILL

To repeal certain Portions of the Act of Uniformity relating to the Declaration made by Fellows of Colleges.

(Prepared and brought in by
Mr. Bouverie and Mr. Dudley Fortescue.)

Ordered, by The House of Commons, *to be Printed,*
20 *February* 1866.

[Bill 26.]

Under 1 *oz.*

A

BILL

TO

Appropriate a Portion of the Income of the Estate lately belonging to the Prebend of Finsbury, in the Cathedral Church of Saint Paul, London, for the Relief of Spiritual Destitution in the Metropolis.

WHEREAS the Estate lately belonging to the Prebend of Finsbury, in the Cathedral Church of Saint Paul, London, formerly consisted of Land of inconsiderable Value in the City of London, which was let on a long Lease to the Lord Mayor, Aldermen, and Commons of the said City : Preamble.

And whereas, in consequence of the great Extension of the Metropolis around the said City, the said Land was built upon, and has become covered with numerous Houses of great Value :

And whereas on the Suppression of the Prebend of Finsbury the said Estate became vested in the Ecclesiastical Commissioners for England as Part of their Common Fund :

And whereas the said Lease to the Corporation of London is about to expire, and the said Estate will then yield an annual Income, in addition to that already derived therefrom by the Commissioners, exceeding Forty thousand Pounds a Year :

And whereas in consequence of the wealthier Part of the Community being congregated in certain Parts of the Metropolis, and those who live by their Labour and the poorer Portion of the Community being congregated together in other Parts, there is great Spiritual Destitution in the Metropolis; but by reason of the said Estate being situate in One Parish, and such Destitution existing in others, sufficient Relief will not be afforded by the Commissioners for such Destitution as a local Claim:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners to set apart One Moiety of said Finsbury Estate, to be carried to an Account to be called "The Metropolitan Curates Fund."

1. The Commissioners shall henceforth set apart *One Moiety* of the net annual Rents and Profits of the Estate lately belonging to the Prebend of Finsbury, in Saint Paul's, London, and now vested in the Commissioners, and carry such Moiety to a separate Account, to be called the Metropolitan Curates Fund, and to be appropriated and paid as herein-after provided.

Bishop of Diocese to submit Proposals for Appointment of Curates to Commissioners.

2. The Bishop of the Diocese shall submit to the Commissioners from Time to Time Proposals for the Appointment of Curates for the Purpose of ministering to the Spiritual Wants of the People in any Parish or District of the Metropolis requiring such Ministration, and unless the Commissioners shall deem such Curates unnecessary they shall adopt such Proposals.

Upon Adoption of Proposal, Incumbent to nominate Curate.

3. Upon the Adoption of any Proposal the Incumbent of the Parish or District to which it relates shall nominate a Curate or Curates to be appointed in pursuance thereof, for the Approval of the Bishop of the Diocese, who, on being satisfied in his Discretion of the Fitness and Efficiency of the Curate, shall confirm such Nomination; and a new Nomination shall in like Manner be made and confirmed when and as often as any Vacancy may occur in a Curacy under any Proposal; and any Curate shall be removable at the Discretion of the Incumbent or of the Bishop by whom the Nomination shall have been made or confirmed.

Proposal may after Adoption be annulled.

4. If at any Time after a Proposal shall have been adopted by the Commissioners they shall be of opinion that the same is no longer necessary, they shall be at liberty to annul the same, and thereupon any Nomination made thereunder shall cease to have Effect.

5. The Commissioners shall pay to each Curate appointed under this Act a Stipend at and after the Rate of *Two hundred Pounds* a Year, on his producing at least once in every Year a Certificate, to be granted without Fee, from the Bishop of the Diocese, that such Curate has faithfully discharged his Duty.

Commissioners to pay Stipends to Curates appointed under Act.

6. In case the Moneys standing to the Credit of the said Account shall be more than sufficient to pay the Salaries of Curates nominated under this Act, the Residue of such Moneys shall be applied for such other local Claims within the Metropolis as the Commissioners shall deem necessary.

Surplus may be applied to other local Claims.

7. "The Metropolis" shall be deemed to be the Metropolis as defined by the Metropolis Local Management Act, 1855; and the Term "Commissioners" shall mean the Ecclesiastical Commissioners for England.

Interpretation.

Finsbury Estate.

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B I L L

To appropriate a Portion of the Income of the Estate lately belonging to the Prebend of Finsbury, in the Cathedral Church of St. Paul, London, for the Relief of Spiritual Destitution in the Metropolis.

(Prepared and brought in by
Mr. Ayrton and Mr. Locke.)

Ordered, by The House of Commons, *to be Printed,*
10 *April* 1866.

[Bill 97.]

Under 1 *oz.*

A

BILL

TO

Extend the Provisions of the Acts for the Encouragement of the Sea Fisheries in Ireland, by promoting and aiding with Grants of Public Money, the Construction of Piers, Harbours, and other Works.

Preamble. 9 Vict. c. 3.

WHEREAS an Act was passed in the Ninth Year of the Reign of Her Majesty the now Queen, being "An Act "to encourage the Sea Fisheries of Ireland, by promoting "and aiding with Grants of Public Money the Construction of Piers, "Harbours, and other Works;" and the Provisions of such Act were extended by another Act of the Session held in the Ninth and Tenth Years of the Reign of Her said Majesty, Chapter Seventy-five: 9 & 10 Vict. c. 75.

16 & 17 Vict. c. 136.

And whereas another Act was passed in the Session held in the Sixteenth and Seventeenth Years of the Reign of Her said Majesty, being "An Act for enabling Grand Juries in Ireland to "borrow Money from private Sources on the Security of Present- "ment, and for transferring to Counties certain Works constructed "wholly or in part with Public Money," and which last-mentioned Act was amended by an Act of the Session held in the Nineteenth and Twentieth Years of Her said Majesty, Chapter Thirty-seven: 19 & 20 Vict. c. 37.

And whereas it is expedient to provide that further Sums should be advanced by way of Grant and Loan for the Purposes in the said firstly-recited Act and this Act, *and to increase the Amount of Grants authorized to be made for such Purposes respectively* mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grants may be issued to an Amount not exceeding l.

1. *The Commissioners of Her Majesty's Treasury may cause to be issued from Time to Time to the Commissioners of Public Works in Ireland, out of any Moneys which may be granted by Parliament for that Purpose, such further Sums as the said Commissioners of Public Works may find necessary for the Purposes of the said firstly recited Act.*

Repeal of Limit of Grant to 5,000*l*.

2. That so much of the said firstly-recited Act as limits the Amount of Grant to any One Work to the Sum of Five thousand Pounds is hereby repealed; and it shall be lawful for the said Commissioners of Public Works, by and with the Sanction of the said Commissioners of Her Majesty's Treasury, to make a Grant or Grants for any Work under the said recited Act to an Amount not exceeding for any One Work the Sum of *Seven thousand five hundred Pounds.*

Grants and Loans may be made in Extension of existing Works.

3. It shall be lawful for the Commissioners of Public Works, with the Sanction of the Lords Commissioners of Her Majesty's Treasury, in addition to the Purposes by the said firstly-recited Act authorized, to make Grants and Loans towards the Extension, Enlargement, or Improvement of any Harbour, Pier, Quay, Landing Slip, or other Work heretofore executed under the Provisions of the said recited Acts; and such Advances by way of Grant and Loan shall be deemed to be made by virtue of and in all respects to be within the Provisions of the said recited Acts and of this Act: Provided, however, that no such Grant shall (including any Grant previously made in aid of such Pier or other Work) exceed the Sum of *Seven thousand five hundred Pounds.*

Advances may be made by way of loan.

4. In all Cases in which any Grant of Money may be made under the Provisions of this Act for the Purpose of defraying a Portion of the total actual Costs of any Works, the Amount of the Residue of such Costs (with the Sanction of the said Commissioners of Her Majesty's Treasury) may be advanced by way of Loan by the said Commissioners of Public Works, out of any Moneys applicable to Loans at the Disposal of the said last-mentioned Commissioners.

Sums advanced by way of Loan to be repayable.

5. All Sums of Money advanced by way of Loan under the Provisions of this Act, and payable by any County or District, shall be repaid and recovered under and by virtue of the Provisions in that Behalf contained in the said Act of the Session held in the Sixteenth and Seventeenth Years of Her said Majesty, Chapter One hundred and thirty-six, and all Sums of Money payable by any Proprietor of Lands in respect of Moneys advanced by way of Loan for or in respect of any Work under the Provisions of the said recited Acts or of this Act, with Interest thereon, shall be charged upon the Lands of such Proprietor, in the Manner and with the Priority in the said first-recited Act mentioned. And all Moneys recoverable in Repayment of any Advance by way of Loan under the Provisions of this Act shall be paid and applied in such Manner as the said Commissioners of Her Majesty's Treasury may from Time to Time direct.

9 Vict. c. 3

This Act and recited Acts to be construed as One Act.

6. The said Acts herein-before recited or referred to shall be read together and construed as One Act.

Fishery Piers and Harbours (Ireland).

A

B I L L

To extend the Provisions of the Acts for the Encouragement of the Sea Fisheries in Ireland, by promoting and aiding with Grants of Public Money, the Construction of Piers, Harbours, and other Works.

(Prepared and brought in by
Mr. Childers, Mr. Chichester Fortescue and
Mr. Attorney General for Ireland.)

Ordered, by The House of Commons, *to be Printed,*
9 *April* 1866.

[Bill 93.]

Under 1 *oz.*

A

BILL

INTITULED

An Act to amend the Foreign Jurisdiction Act.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for Queen in Council to assign Jurisdiction to Courts in British Dominions in Cases within Foreign Jurisdiction Acts.

1. It shall be lawful for Her Majesty in Council from Time to Time, if and when it seems fit, by Order in Council made under The Foreign Jurisdiction Acts, to assign to or confer on any Court in any of Her Majesty's Possessions out of the United Kingdom any Jurisdiction, Civil or Criminal, Original or Appellate, which Her Majesty in Council might lawfully by any such Order assign to or confer on any Court in any Country or Place out of Her Majesty's Dominions within which Her Majesty has Power or Jurisdiction, and from Time to Time by any such Order to make such Provisions and Regulations as to Her Majesty in Council seem meet respecting the Exercise of the Jurisdiction so assigned or conferred, and respecting the Enforcement and Execution of the Judgments, Decrees, Orders, and Sentences of any such Court, and respecting Appeals therefrom; and every such Order shall be effectual to vest in the Court to which it relates the Jurisdiction expressed to be thereby assigned or conferred, and the same shall be exercised subject and according to the Provisions and Regulations aforesaid.

Short Titles.
6 & 7 Vict. c. 94.
28 & 29 Vict. c. 116.

2. This Act may be cited as "The Foreign Jurisdiction Act Amendment Act, 1866"; and the Act of the Session of the Sixth and Seventh Years of Her Majesty's Reign, (Chapter Ninety-four,) "to remove Doubts as to the Exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of "Her Majesty's Dominions, and to render the same more effectual," may be cited as "The Foreign Jurisdiction Act, 1843"; and that Act and The Foreign Jurisdiction Act Amendment Act, 1865, and this Act, may be cited together and are in this Act referred to as The Foreign Jurisdiction Acts.

Foreign Jurisdiction Act Amendment. [H.L.]

A

B I L L

INTITULED

An Act to amend the Foreign Jurisdiction Act.

(*Brought from the Lords* 30 *July* 1866.)

Ordered, by The House of Commons, *to be Printed,*
31 *July* 1866.

[Bill 258.]

Under 1 *oz.*

Fortifications (Provision for Expenses) Bill.

ARRANGEMENT OF CLAUSES.

CLAUSES.

1. The Sum of 50,000*l.* to be issued out of the Consolidated Fund towards Expenses after mentioned.

2. Appropriation of the Money so issued to the Expenses of constructing Fortifications.

3. Treasury to raise 50,000*l.* by creating Annuities for a Term not exceeding Thirty Years.

4. Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.* and Terms of Payment of Subscription.

5. Power to Guardians, &c. to subscribe for Infants.

6. Time at which Annuities may be transferred.

7. Contributors may anticipate Payments.

8. Annuities payable, &c. at the Bank.

9. Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, and shall be charged upon the said Fund.

10. Bank of England to appoint a Cashier and an Accountant General, and Treasury to order Money to be issued to the Cashier for Payment of Annuities.

11. Cashier to give Receipts for Subscriptions, and pay the Money he receives into the Exchequer.

12. The Money paid into the Exchequer to form Part of the Consolidated Fund.

13. A Book to be kept in the Accountant-General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.

14. As to Subscriptions paid in part, and not completed, forfeited.

15. Annuities to be deemed Personal Estate.

16. Accountant General to keep Books for entering Transfers. No Stamp Duties to be charged on Transfers.

17. Power to Treasury to add Annuities created under this Act to Stock of existing Terminable Annuities of like Duration.

18. Allowance to Bank of England for the Expense of Management.

19. Fortifications, &c. to be executed under the Direction of the Secretary of State for War.

20. Accounts to be laid before Parliament.

21. Persons counterfeiting Receipts for Contributions, &c. guilty of Felony.

22. Bank to continue a Corporation till the Annuities hereby granted cease.

SCHEDULE.

A

B I L L

FOR

Providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland.

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, having further considered the State, Condition, and Sufficiency of the Fortifications existing for the Defence of the United Kingdom, and being desirous to provide forthwith for the Construction of certain Works for the Defence of Your Royal Arsenals and Dockyards and the Ports of Dover and Portland, have cheerfully granted to Your Majesty the further Sum of *Fifty thousand Pounds*, to be paid out of the Consolidated Fund, towards defraying the Expenses incurred or to be incurred for those Purposes, and we have resolved that a Sum not exceeding the said Sum of *Fifty thousand Pounds* be raised by such Terminable Annuities as herein-after mentioned, and we do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Sum of 50,000*l.* to be issued out of the Consolidated Fund towards Expenses after mentioned.

1. Towards defraying the Expenses herein-after mentioned, any Sum or Sums, not exceeding in the whole the Sum of *Fifty thousand Pounds*, shall be issued and applied out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing Produce thereof, and it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to issue and apply the same accordingly.

Appropriation of the Money so issued to the Expenses of constructing Fortifications.

2. Such Sum or Sums as may be issued out of the Consolidated Fund, or the growing Produce thereof, as aforesaid, shall be applied as mentioned in the Schedule to this Act towards defraying the Expenses incurred or to be incurred in constructing the aforesaid Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at Haulbowline), and the Fortifications at Dover and Portland, and in purchasing the Land and Rights in Land that may be required for the Purposes of such Fortifications and Works; and the Commissioners of Her Majesty's Treasury shall from Time to Time apply such Sum or Sums accordingly: Provided always, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule, nor to apply to any Work any greater Sum than that which is set down in the Schedule as the total estimated Cost of the Work.

Treasury to raise 50,000*l.* by creating Annuities for a Term not exceeding Thirty Years.

3. To provide for the Issues to be made out of the Consolidated Fund or the growing Produce thereof, and to repay to the Consolidated Fund the Amount which may have been previously so issued under this Act, or for either of those Purposes, it shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or from Time to Time after the passing of this Act, to raise any Sum or Sums not exceeding in the whole the Sum of *Fifty thousand Pounds* as herein-after mentioned; and for raising all or any Portions which may be so raised from Time to Time of the said Sum of *Fifty thousand Pounds* it shall be lawful for the Commissioners of the Treasury to cause to be created, and vested in the Contributors to the said Sum or to the respective Portions thereof, Annuities for such Term not exceeding the Term of Thirty Years as the Commissioners of the Treasury may think fit to fix in the Contract with such Contributors, and to be payable half-yearly by equal Payments on the *Fifth Day of April* and the *Tenth Day of October*.

Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.* and Terms of Payment of Subscription.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to contract, in such Manner and under such Regulations as they may deem advisable, with any Person or Persons, Body or Bodies Politic or Corporate, who may be willing to advance the whole or any Part of the said Sum of *Fifty thousand Pounds*, or of the Portion thereof which the said Commissioners may at any Time think it requisite to raise, and to appoint and fix the Amount and Times of Payment of Deposits and Instalments of or in respect of the Sums contracted to be advanced, and to declare and fix the Term and the Amount of Annuity to be created under this Act to which the several Persons and Corporations advancing such Sums (who are herein referred to as the Contributors), their respective Executors or Administrators, Successors or Assigns, shall be entitled in respect of each One hundred Pounds contributed and paid, and to appoint on which of the half-yearly Days herein-before mentioned the First Half Year's Payment of Annuity shall become due, and the Time or Times at which the said Annuities or proportional Amounts thereof shall be placed in the Books of the Bank of England to the Credit of the respective Contributors, their Executors, Administrators, Successors, and Assigns, and to fix the Time during which Receipts for such Deposits or Instalments as aforesaid shall be assignable; and the several Contributors, their Executors, Administrators, Successors, or Assigns, shall be entitled for every One hundred Pounds by them respectively advanced and paid to an Annuity for such Term and of such Amount as shall be so fixed by the Commissioners of the Treasury, to be payable during the Term so fixed by half-yearly Payments as aforesaid, the first half-yearly Payment to be due as the said Commissioners may have appointed as aforesaid.

Power to Guardians, &c. to subscribe for Infants.

5. It shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant to contribute and pay for or towards advancing any Part of any Sum to be raised by Annuities in manner aforesaid; and such Infant, upon the Payment of such Sum or Sums subscribed by such Guardian or Trustee, shall become a Contributor within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages, and Payments in respect thereof in such and the like Manner as any other Contributor; and such Guardian or Trustee, as to the said Sum or Sums so advanced, is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money.

Time at which Annuities may be transferred.

6. All Deposits, Instalments, and Sums to be paid by the Contributors, their Executors or Administrators, Successors or Assigns, in respect of any Portion of the said Sum of *Fifty thousand Pounds*, shall be paid to the Cashier or Cashiers of the Governor and Company of the Bank of England; and as soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall, after Payment of the required Deposit, have made due Payment of any subsequent Instalment payable by them respectively on the Days appointed by the said Commissioners of the Treasury towards a Sum raised under this Act, such Contributors may have a proportional Amount of the Annuities to which they may be entitled in respect of such Instalment forthwith placed in the Books of the Bank of England to the Credit of such respective Contributors, their Executors, Administrators, Successors, or Assigns, and on Payment of the last Instalment such Contributors, their Executors, Administrators, Successors, or Assigns, shall have a proportional Amount of like Annuities placed to their respective Credits corresponding, at the Rate aforesaid, to the aggregate Amount of the Deposit and of such last Instalment; and the Persons to whose Credit such Annuities, or such proportional Parts thereof, shall be so placed, their respective Executors, Administrators, Successors, and Assigns, shall have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate whatsoever, in the Books of the Bank of England (in such Manner as is herein-after directed); and the said Governor and Company of the Bank of England are hereby required, as soon as conveniently may be after Notice from the Commissioners of the Treasury for the Purpose, to prepare proper Books for the Purpose of entering the Names of all such Contributors, and of placing to their Credit the Annuities to which they will be entitled under this Act.

Contributors may anticipate Payments.

7. All such Contributors, their Executors, Administrators, Successors, or Assigns, who shall pay into the Hands of the said Cashier or Cashiers the whole of their respective Contribution Money, or any Part thereof, in anticipation of the Instalments appointed by the Commissioners of the Treasury, or any of them, shall be entitled to have forthwith inscribed into their respective Names the whole or such proportional Amount of the said Annuities; but Discount shall not be allowed on any such Payment in anticipation of any of the said Instalments.

Annuities payable, &c. at the Bank.

8. All the Annuities created under this Act shall be payable and paid and be transferable at the Bank of England.

9. So

Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, and shall be charged upon the said Fund.

9. So much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to the said Cashier or Cashiers of the Governor and Company of the Bank of England, as shall be sufficient to satisfy and pay the said Annuities to be created under the Act, together with the Charges attending the same, and all the said Annuities shall be charged and chargeable upon and are hereby charged upon and made payable out of the said Consolidated Fund.

Bank of England to appoint a Cashier and an Accountant General, and Treasury to order Money to be issued to the Cashier for Payment of Annuities.

10. For the more easy and sure Payment of the Annuities established by this Act, the said Governor and Company of the Bank of England and their Successors shall from Time to Time, until all the said Annuities shall have expired, appoint and employ One or more sufficient Person or Persons within their Office in the City of London to be their Chief or First Cashier or Cashiers, and One or other sufficient Person within the same Office to be their Accountant General; and so much of the Money by this Act to be set apart for the Purpose as shall be sufficient from Time to Time to answer the said Annuities and the Charges attending the same shall, by Order of the Commissioners of Her Majesty's Treasury, without any further Warrant to be sued for, had, or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer to the said Chief or First Cashier or Cashiers of the said Governor and Company of the Bank of England, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the Dividends payable by virtue of this Act; and such Cashier or Cashiers to whom the said Money shall from Time to Time be issued shall from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof to the Commissioners for auditing the Public Accounts; and the said Accountant General for the Time being shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

Cashier to give Receipts for Subscriptions, and pay the Money he receives into the Exchequer.

11. The Cashier or Cashiers of the Governor and Company of the Bank of England who shall receive any Deposits or Instalments from Contributors in respect of any Portion of the said Sum of *Fifty thousand Pounds* shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums, and also Warrants for the proportional Amounts of Annuity to be created in respect of the Instalments intermediate between the Deposit and the last Instalment on the Payment of those Instalments respectively; and the Receipts and Warrants so to be given shall be assignable and transferable by Delivery thereof during such Time as shall have been fixed by the Commissioners of Her Majesty's Treasury, and no longer; and such Cashier or Cashiers shall give Security to the Satisfaction of the Commissioners of Her Majesty's Treasury for duly answering and paying into the Receipt of the Exchequer as after mentioned all the Monies which he or they shall hereafter receive from Time to Time of and for any Portion of the said Sum of *Fifty thousand Pounds*, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from Time to Time pay all such Monies as soon as he or they shall receive the same or any Part thereof, or within *Five Days* afterwards at the furthest, into and shall account for the same in the Exchequer, according to the due Course thereof.

The Money paid into the Exchequer to form Part of the Consolidated Fund.

12. All such Sums of Money as shall be from Time to Time paid into the Receipt of Her Majesty's Exchequer in respect of the said Sum of *Fifty thousand Pounds*, or any Portion thereof, raised by Annuities as aforesaid, shall be carried to and form Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.

13. In the Office of the Accountant General of the Governor and Company of the Bank of England for the Time being a Book or Books shall be provided and kept, in which the Names of the Contributors to any Portion of the said Sum of *Fifty thousand Pounds*, which may be raised under this Act, shall be fairly entered, which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may from Time to Time and at all seasonable Times resort to and inspect without any Fee or Charge; and the said Accountant General shall, at such Time or Times as may be directed by the Commissioners of the Treasury, transmit an attested Duplicate fairly written on Paper of the said Book or Books into the Office of the Receipt of the Exchequer, there to remain for ever.

As to Subscriptions paid in part, and not completed, forfeited.

14. In case any such Contributors to any Portion of the Sum of *Fifty thousand Pounds* which may be raised under this Act, after having paid to the said Cashier or Cashiers any Sum or Sums of Money as a Deposit, at the Time and in the Manner appointed by the Commissioners of the Treasury, in part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums so subscribed at the Times and in the Manner which shall have been appointed by the Commissioners of the Treasury, then and in every such Case such Deposit shall be forfeited for the Benefit of the Public, and all Right and Title to the said Deposit, and to the Annuity in respect thereof, shall be extinguished.

Annuities to be deemed Personal Estate.

15. All Persons and Corporations who shall be entitled to any of the Annuities which may be created under this Act, and all Persons and Corporations lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of London or otherwise.

Accountant General to keep Books for entering Transfers.

16. Books shall be constantly kept by the said Accountant General for the Time being wherein all Assignments or Transfers of all Annuities created under this Act shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by their respective Attorney or Attorneys thereunto lawfully authorized in Writing under his or their Hand and Seal or Hands and Seals, to be attested by Two or more Witnesses; and the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof, and no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law; and no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

No Stamp Duties to be charged on Transfers.

Power to Treasury to add Annuities created under this Act to Stock of existing Terminable Annuities of like Duration.

17. Provided, That it shall be lawful for the Commissioners of Her Majesty's Treasury, if they think it expedient so to do, for raising all or any Portion of the said Sum of *Fifty thousand Pounds*, to contract and provide that all or any of the Terminable Annuities to be created under the Provisions of this Act in respect of such Sum or Portion as aforesaid shall be consolidated with and deemed Part of the Joint Stock of the Terminable Annuities created by the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Eighteen, or of the Joint Stock of any Terminable Annuities transferable at the Bank of England, and charged on the Consolidated Fund, by the Authority of Parliament, for the same Term for the Time being unexpired, and payable on the same half-yearly Days, as the Annuities which they may contract to create, and in every such Case the Annuities to be created under this Act shall be added to and form Part of the Joint Stock of the previously existing Annuities accordingly.

Allowance to Bank of England for the Expense of Management.

18. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Payment out of the Consolidated Fund to the Governor and Company of the Bank of England of the Sum of *Fifty Pounds* for the said Contributions as an Allowance for the Service, Pains, and Labour of the said Cashier or Cashiers employed in receiving, paying, and accounting for the same, and also for the Service, Pains, and Labour of the said Accountant General for performing the Trust reposed in him by this Act, which Allowance in respect of the Service, Pains, and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company shall be for the Use of the said Governor and Company, and at their Disposal only.

Fortifications, &c. to be executed under the Direction of the Secretary of State for War.

19. The Fortifications and Works, the Expenses of constructing and providing which are to be defrayed under this Act, shall be constructed and provided respectively under the Direction of Her Majesty's Principal Secretary of State for the War Department, and the Land to be purchased and acquired for the Purposes of such Fortifications and Works shall be vested in the said Secretary of State on behalf of Her Majesty.

Accounts to be laid before Parliament.

20. The Commissioners of Her Majesty's Treasury shall in the Month of June in the Year *One thousand eight hundred and sixty-seven*, and in every subsequent Year in which any Part of the said Sum of *Fifty thousand Pounds* shall be issued from the Consolidated Fund or raised by Annuities under this Act, cause to be prepared an Account of the Monies raised under this Act up to the First Day of April preceding, and of the Amount of Annuities created in respect of the Money so raised, and of the Monies which shall have been issued out of the Consolidated Fund in respect of the Sum of *Fifty thousand Pounds* charged on that Fund under this Act up to the First Day of April, specially showing the Works or Purposes for or in respect of which the Monies may have been applied, and showing the Amount, if any, which may remain to be raised of the said Sum of *Fifty thousand Pounds* authorized to be raised under this Act, and the Amount, if any, remaining to be issued or applied of the said Sum of *Fifty thousand Pounds* charged on the said Consolidated Fund; and every such Account shall be laid before both Houses of Parliament forthwith after the Preparation thereof, or if Parliament be not sitting then within *Fourteen Days* after the next meeting of Parliament.

Persons counterfeiting Receipts

21. If any Person shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the whole or any Part or Parts of the said Contributions towards any Sum raised under this Act, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors thereto, or Payer or Payers thereof or of any Part or Parts thereof, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of England, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person so forging or counterfeiting or altering, or causing or procuring to be forged or counterfeited or altered, or willingly acting or assisting in the forging or counterfeiting or altering, uttering, or publishing as aforesaid, shall be guilty of Felony, and being convicted thereof shall, at the Discretion of the Court, be liable to be kept in Penal Servitude for any Term not less than *Three Years*, or to be imprisoned, with or without Hard Labour, or with or without Solitary Confinement, for any Term not exceeding *Two Years*.

for Contributions, &c. guilty of Felony.

22. The said Governor and Company of the Bank of England and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Annuities created under this Act shall cease.

Bank to continue a Corporation till the Annuities hereby granted cease.

SCHEDULE.

Station.	District.	Name of Work.	Estimated Cost.	Expended to 31st March 1866.	Amount already voted.	Amount proposed, 1866–7.	Further Amount to complete.
Portsmouth	Spithead and Sea Defences:		£	£	£	£	£
	Outer Line	Horse Sand Fort	260,000	201,963	360,000	—	587,000
		No Man's Land	290,000				
		Puckpool, St. Helen's, and other Spithead Works	397,000				
	Inner Line	Gilkicker Battery	105,000	45,560	85,000	—	20,000
		Southsea Castle					
		Eastney Batteries					
		Lumps Battery					
	Defences of Needles Passage.	Hurst Castle	188,000	96,231	166,000	—	22,000
		Needles Battery					
		Hatherwood					
		Warden Point					
		Cliff End					
		Golden Hill					
	Isle of Wight	Coast Defences	145,000	121,278	140,000	—	5,000
	Land Defences	Portsdown Works	843,000	660,784	811,000	—	32,000
		Gosport Works					
		Hilsea Lines					
Plymouth	Harbour Defences:						
	Outer Line	Staddon Point Battery	298,000	144,852	228,000	—	70,000
		Breakwater Battery					
		Picklecombe Battery					
		Cawsand Bay					
	Inner Line	Mount Edgcumbe Battery.	47,000	37,022	47,000	—	—
		Drake's Island Battery					
		Western King Battery					
		Eastern King Battery					
	Land Defences	Western Defences	295,000	241,651	275,000	—	20,000
		Northern and Eastern Defences.	518,000	250,108	383,000	—	135,000
		Devonport Lines	10,000	8,029	10,000	—	—
Pembroke	Milford Haven:						
	Sea Defences	Stack Rock Fort	216,000	169,237	212,000	—	4,000
		South Hook Battery					
		Hubberstone Battery					
		Popton Battery					
		Chapel Bay Battery					
	Land Defences	Fort Scoveston (North of Milford Haven).	50,000	22,233	46,000	—	4,000
		Works to Southward of Milford Haven.	80,000	—	25,000	—	55,000
Portland	Portland	Verne Citadel and Batteries connected therewith.	120,000	100,891	117,000	—	3,000
		Nothe and Breakwater Forts.	232,000	153,665	179,000	—	53,000

Station.	District.	Name of Work.	Estimated Cost.	Expended to 31st March 1866.	Amount already voted.	Amount pro-posed, 1866–7.	Further Amount to complete.
			£	£	£	£	£
Gravesend -	Thames - -	Coalhouse Fort - - Cliffe Fort - - - Shornmead - - Slough Battery - -	270,000	131,572	200,000	—	70,000
		Tilbury and Tavern Forts.	50,000	—	—	*50,000*	—
Medway and Sheerness.	Sea Defences and Mile Town Works.	Isle of Grain - - Garrison Point - Hoo Fort - - Darnet Fort - - Works in front of Mile Town.	399,000	236,216	269,000	—	130,000
Chatham -	Eastern - -	Eastern Defences -	500,000	—	—	—	500,000
Dover	Dover - -	Castle Hill Fort - Dover Castle - - Western Heights -	285,000	257,806	275,000	—	10,000
Cork -	Cork - -	Spike Island Defences - Carlisle Fort - - Camden Fort - -	159,000	45,701	102,000	—	57,000
		Total Works -	5,757,000	2,924,799	3,930,000	*50,000*	1,777,000
Incidental Expenses (Works and Experiments) - - Expenditure - - - - £137,090 Less Sundry Receipts, Credits, &c. 30,186			140,000	106,904*	140,000	—	—
Lands, including Cost of Surveys, Surveyors' Charges, legal and other incidental Expenses - - - - - -			1,100,000	1,056,399	1,080,000	—	20,000
		Total £	6,997,000	4,088,102	5,150,000	*50,000*	1,797,000

	£
Provided for by 23 & 24 Vict. c. 109. - - -	2,000,000
Provided for by 25 & 26 Vict. c. 78. - - -	1,200,000
Provided for by 26 & 27 Vict. c. 80. - - -	650,000
Provided for by 27 & 28 Vict. c. 109. - - -	650,000
Provided for by 28 & 29 Vict. c. 61. - - -	650,000
Total of this Enactment - - - - -	50,000
Total of the Six Enactments - - -	£ 5,200,000

Fortifications (Provision for Expenses).

A

BILL

For providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland.

(*Prepared and brought in by*
Mr. Dodson, General Peel, and Mr. Hunt.)

Ordered, by The House of Commons, *to be Printed,*
25 *July* 1866.

[Bill 244.]

Under 2 *oz.*

A

BILL

TO

Amend "An Act to consolidate and amend the "Laws relating to the Presentment of Public "Money by Grand Juries in Ireland."

Preamble.

WHEREAS by an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to consolidate and amend the Laws relating to the Pre-"sentment of Public Money by Grand Juries in Ireland," it is enacted "that at each Presentment Sessions to be holden as therein "provided the Justices and Cesspayers associated in the Business "of such Sessions shall take into consideration all such Appli-"cations as may be laid before them in the Manner thereby men-"tioned, and examine into the posting or serving of the Notices "of all such Applications when such Notice shall be necessary, "and into the Merits of such Applications, and the Conformity "thereof with the Provisions of the said Act; and the said Justices "and Cesspayers shall, after such Examination, decide by Majority "of Voices upon every such Application, and whether the same "ought to be adopted or rejected, and whether wholly or in part

" or conditionally in the event of the Expense thereof not exceeding " a certain specified Sum;" and that the Tenders and Proposals for such Works to be executed under the said Act " shall contain " a Statement of the lowest Sum for which the Party making such " Proposal is willing to contract for the Performance of the Work " or Works specified and described in such Notification, and shall " be subscribed with the Name, Description, and Residence of the " Party so desirous to enter into such Contract, and also the " Names, Descriptions, and Residences of not less than Two sufficient Persons willing to be bound jointly and severally with him " for the due and faithful Performance of the said Contract within " the Time and in the Manner thereby prescribed, in a penal Sum " double the Amount of the said Sum mentioned in such Tenders " and Proposals if the said Sum shall not exceed One thousand " Pounds, but if such Sum shall exceed One thousand Pounds, " then in a penal Sum exceeding the Sum mentioned in such " Tenders and Proposals by One thousand Pounds in addition " thereto;" and it is by the said Act also enacted that the Security to be entered into by Contractors under the said Act and their Sureties shall be a Recognizance to His Majesty, His Heirs and Successors, of like Force, Validity, and Effect as other Recognizances made to the King's Majesty:

And whereas it is expedient to vary the Amount of the Security by the said Act required from Contractors and their Sureties, and to make Provision for the Application of the Moneys to be recovered under or by force of such Recognizance as aforesaid:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Penalty mentioned in Tenders to be double the Amount of specified Sum.

1. That such Tenders and Proposals as aforesaid shall contain, instead of the penal Sum aforesaid, a penal Sum double the Amount of the said certain specified Sum, and that the Security to be entered into for the due Performance of Contracts under the said Act, before any Proposal under the said Act shall be accepted, shall be conditioned in a penal Sum double the Amount of said specified Sum instead of double the Amount of the Sum mentioned in such Tenders and Proposals as aforesaid.

Moneys recovered under Recognizances to be paid over to Treasurer.

2. All Moneys recovered under such Recognizances shall be forthwith paid over to the Treasurer of the Grand Jury of the County, County of a City, or County of a Town within which the Forfeiture of such Recognizance may have arisen, and shall be applied, under the Direction of said Grand Jury, and under the

Superintendence of the County Surveyor, to make good and complete the Contract in respect whereof such Forfeiture shall have occurred.

Not otherwise than herein stated to alter recited Act.

3. Nothing herein contained shall in any way repeal, alter, or vary the Provisions of said Act, save so far as same are hereby expressly repealed, altered, or varied.

Short Title.

4. This Act may be for all Purposes cited as The Grand Jury (Ireland) Amendment Act, 1866.

Grand Juries Presentment (Ireland).

A

BILL

To amend "An Act to consolidate and "amend the Laws relating to the "Presentment of Public Money by "Grand Juries in Ireland."

(Prepared and brought in by
Mr. Esmonde and Mr. Serjeant Armstrong.)

Ordered, by The House of Commons, *to be Printed*,
22 *March* 1866.

[Bill 89.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend "An Act to consolidate and amend the "Laws relating to the Presentment of Public "Money by Grand Juries in Ireland."

Preamble.

WHEREAS by an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland," it is enacted "that at each Presentment Sessions to be holden as therein "provided the Justices and Cesspayers associated in the Business "of such Sessions shall take into consideration all such Applications as may be laid before them in the Manner thereby mentioned, and examine into the posting or serving of the Notices "of all such Applications when such Notice shall be necessary, "and into the Merits of such Applications, and the Conformity "thereof with the Provisions of the said Act; and the said Justices "and Cesspayers shall, after such Examination, decide by Majority "of Voices upon every such Application, and whether the same "ought to be adopted or rejected, and whether wholly or in part "or

6 & 7 W. 4. c. 116. s. 17.

6 & 7 W. 4. c. 116. s. 22.

6 & 7 W. 4. c. 116. s. 23.

6 & 7 W. 4. c. 116. s. 24.

" or conditionally in the event of the Expense thereof not exceeding " a certain specified Sum;" and that the Tenders and Proposals for such Works to be executed under the said Act " shall contain " a Statement of the lowest Sum for which the Party making such " Proposal is willing to contract for the Performance of the Work " or Works specified and described in such Notification, and shall " be subscribed with the Name, Description, and Residence of the " Party so desirous to enter into such Contract, and also the " Names, Descriptions, and Residences of not less than Two sufficient Persons willing to be bound jointly and severally with him " for the due and faithful Performance of the said Contract within " the Time and in the Manner thereby prescribed, in a penal Sum " double the Amount of the said Sum mentioned in such Tenders " and Proposals if the said Sum shall not exceed One thousand " Pounds, but if such Sum shall exceed One thousand Pounds, " then in a penal Sum exceeding the Sum mentioned in such " Tenders and Proposals by One thousand Pounds in addition " thereto;" and it is by the said Act also enacted that at the Meeting of each such adjourned Presentment Sessions as therein aforesaid, the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged, and with the Seals unbroken, all the Tenders and Proposals which may have been delivered to him, and shall open consecutively all those relating to the same public Work, and so soon as the lowest Proposal made for the Performance of each such Work shall be ascertained, the Party making such Proposal and his Sureties shall be called; and if the said Party and his Sureties shall appear, and shall satisfy the Justices and Cesspayers at such Sessions, upon Oath or otherwise, of the Sufficiency and Ability of each and every of them to answer and make good the Penalty herein-before specified for the Non-performance of such Contract, and that such Proposal has not been made for any unfair or fraudulent Purpose, and shall thereupon enter into Security for the due Performance of such Contract conditioned in such Penalty as aforesaid, such Proposal shall be accepted, and the Party making the same shall be declared entitled to execute the Work to which such Proposal may refer if the same shall be presented by the Grand Jury; but if the Party making such Proposal and his Sureties shall not appear when called, or shall fail to satisfy the Justices and Cesspayers at such Sessions in any of the Particulars aforesaid, or shall decline to enter into such Security as aforesaid, then and in such Case the Proposal of the Party making Default as aforesaid shall be deemed null and void to all Intents and Purposes whatsoever, and the next lowest Proposal shall be ascertained and dealt with in the same Manner, and so on until the said Security shall be entered into and the Contract duly completed; and it is by the said Act also enacted that the Security to be entered into by Contractors under the said Act and their Sureties shall be a Recognizance to His Majesty, His Heirs and Successors, of like Force, Validity, and Effect as other Recognizances made to the King's Majesty:

6 & 7 W. 4. c. 116. s. 24.

And whereas it is expedient to vary the Amount of the Security by the said Act required from Contractors and their Sureties, and to make Provision for the Application of the Moneys to be recovered under or by force of such Recognizance as aforesaid, and to empower the Judge at the Assizes to direct the Grand Jury to present on the Terms of the lowest Proposal when it shall appear to such Judge that any other than the lowest Proposal was unduly accepted and has been presented for by the Grand Jury:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. That such Tenders and Proposals as aforesaid shall contain, instead of the penal Sum aforesaid, a penal Sum double the Amount of the said certain specified Sum, when the said specified Sum does not exceed One thousand Pounds, but when the said specified Sum does exceed One thousand Pounds, then a penal Sum exceeding the said specified Sum by One thousand Pounds, and that the Security to be entered into for the due Performance of Contracts under the said Act, upon any Proposal under the said Act being accepted, shall be conditioned in the same penal Sum as in such Tenders and Proposals contained.

The Penalty mentioned in Tenders to be double the Amount of specified Sum, or 1,000*l.*

2. Whenever it shall appear to the Judge at the Assizes that any other than the lowest Proposal was unduly accepted and has been presented for, it shall be lawful for such Judge to quash such Presentment and to direct the Grand Jury to present on the Terms of the lowest Proposal in that Behalf, and upon the Party by whom such lowest Proposal was made perfecting such Security as hereinbefore provided, he shall be in all respects liable and entitled as if his Proposal had been accepted at the adjourned Presentment Sessions.

In case of undue Acceptance, Judge at Assizes to direct Acceptance of lowest Proposal.

3. It shall be lawful to recover in any Suit on such Recognizance as aforesaid such Sum of Money as shall have been applied or as it shall be necessary to apply to the Execution of the Work in respect whereof the Forfeiture shall have accrued, and in the Case of Contracts extending over One or more Years to sue on such Recognizance for each and every or any Forfeiture when and as same shall occur: Provided always, that the aggregate of the Moneys

Recognizances recovered may be applied in Execution of Work in respect whereof Forfeiture incurred.

Moneys recovered in any Suit or Suits on such Recognizance shall not exceed the penal Sum therein mentioned.

Moneys recovered under Recognizances te be paid over to Treasurer.

4. All Moneys recovered under such Recognizances shall be forthwith paid over to the Treasurer of the Grand Jury of the County, County of a City, or County of a Town within which the Forfeiture of such Recognizance may have arisen, and shall be applied, under the Direction of said Grand Jury, and under the Superintendence of the County Surveyor, for the Purposes of the Contract in respect whereof such Forfeiture shall have occurred.

Not otherwise than herein stated to alter recited Act.

5. Nothing herein contained shall extend to any Work or Presentment in the County of Dublin or County of the City of Dublin, nor in any way repeal, alter, or vary the Provisions of said first-recited Act, save so far as same are hereby expressly repealed, altered, or varied.

Short Title.

6. This Act may be for all Purposes cited as The Grand Jury (Ireland) Amendment Act, 1866.

Grand Juries Presentment (Ireland).

A

BILL

[AS AMENDED IN COMMITTEE]

To amend "An Act to consolidate and "amend the Laws relating to the "Presentment of Public Money by "Grand Juries in Ireland."

(Prepared and brought in by Mr. Esmonde and Mr. Serjeant Armstrong.)

Ordered, by The House of Commons, *to be Printed,*
18 *April* 1866.

[Bill 111.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE
AND ON CONSIDERATION OF BILL AS AMENDED]

TO

Amend "An Act to consolidate and amend the "Laws relating to the Presentment of Public "Money by Grand Juries in Ireland."

Preamble.

6 & 7 W. 4. c. 116. s. 17.

WHEREAS by an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland," it is enacted "that at each Presentment Sessions to be holden as therein "provided the Justices and Cesspayers associated in the Business "of such Sessions shall take into consideration all such Appli- "cations as may be laid before them in the Manner thereby men- "tioned, and examine into the posting or serving of the Notices "of all such Applications when such Notice shall be necessary, "and into the Merits of such Applications, and the Conformity "thereof with the Provisions of the said Act; and the said Justices "and Cesspayers shall, after such Examination, decide by Majority "of Voices upon every such Application, and whether the same "ought to be adopted or rejected, and whether wholly or in part "or conditionally in the event of the Expense thereof not exceeding "a certain specified Sum;" and that the Tenders and Proposals for such Works to be executed under the said Act "shall contain "a Statement of the lowest Sum for which the Party making such "Proposal is willing to contract for the Performance of the Work "or Works specified and described in such Notification, and shall "be subscribed with the Name, Description, and Residence of the "Party so desirous to enter into such Contract, and also the "Names, Descriptions, and Residences of not less than Two sufficient Persons willing to be bound jointly and severally with him "for the due and faithful Performance of the said Contract within "the Time and in the Manner thereby prescribed, in a penal Sum "double the Amount of the said Sum mentioned in such Tenders "and Proposals if the said Sum shall not exceed One thousand "Pounds, but if such Sum shall exceed One thousand Pounds, "then in a penal Sum exceeding the Sum mentioned in such "Tenders and Proposals by One thousand Pounds in addition "thereto;" and it is by the said Act also enacted that at the Meeting of each such adjourned Presentment Sessions as therein aforesaid the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged, and with the Seals unbroken, all the Tenders and Proposals which may have been delivered to him, and shall open consecutively all those relating to the same public Work, and so soon as the lowest Proposal made for the Performance of each such Work shall be ascertained, the Party making such Proposal and his Sureties shall be called; and if the said Party and his Sureties shall appear, and shall satisfy the Justices and Cesspayers at such Sessions, upon Oath or otherwise, of the Sufficiency and Ability of each and every of them to answer and make good the Penalty herein-before specified for the Non-performance of such Contract, and that such Proposal has not been made for any unfair or fraudulent Purpose, and shall thereupon enter into Security for the due Performance of such Contract conditioned in such Penalty as aforesaid, such Proposal shall be accepted, and the Party making the same shall be declared entitled to execute the Work to which such Proposal may refer if the same shall be presented by the Grand Jury; but if the Party making such Proposal and his Sureties shall not appear when called, or shall fail to satisfy the Justices and Cesspayers at such Sessions in any of the Particulars aforesaid, or shall decline to enter into such Security as aforesaid, then and in such Case the Proposal of the Party making Default as aforesaid shall be deemed null and void to all Intents and Purposes whatsoever, and the next lowest Proposal shall be ascertained and dealt with in the same Manner, and so on until the said Security shall be entered into and the Contract duly completed; and it is by

6 & 7 W. 4. c. 116. s. 22.

6 & 7 W. 4. c. 116. s. 23.

by the said Act also enacted that the Security to be entered into by Contractors under the said Act and their Sureties shall be a Recognizance to His Majesty, His Heirs and Successors, of like Force, Validity, and Effect as other Recognizances made to the King's Majesty:

6 & 7 W. 4. c. 116. s. 24.

And whereas it is expedient to vary the Amount and Value of the Security by the said Act required from Contractors and their Sureties, and to make Provision for the Application of the Moneys to be recovered under or by force of such Security as aforesaid, and to empower the Judge at the Assizes to direct the Grand Jury to present on the Terms of the lowest Proposal when it shall appear to such Judge that any other than the lowest Proposal was unduly accepted and has been presented for by the Grand Jury, and to make certain Alterations herein-after mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Penalty mentioned in Tenders to be double the Amount of specified Sum, or 1,000*l.* in excess of specified Sum.

1. That such Tenders and Proposals as aforesaid shall contain, instead of the penal Sum aforesaid, a penal Sum double the Amount of the said certain specified Sum, when the said specified Sum does not exceed One thousand Pounds, but when the said specified Sum does exceed One thousand Pounds, then a penal Sum exceeding the said specified Sum by One thousand Pounds, and that the Security to be entered into for the due Performance of Contracts under the said Act, upon any Proposal under the said Act being accepted, shall, instead of such Recognizance as aforesaid, be a Bond of the Person whose Tender shall have been accepted, and of his Two Sureties, to the Treasurer of the County, County of a City, or County of a Town in which such Contract is to be executed, and such Bond shall be free of Stamp Duty, and shall be conditioned in the same penal Sum as in such Tenders and Proposals contained.

In case of undue Acceptance Grand Jury may present anew, and Judge at Assizes may direct Acceptance of lowest Proposal.

2. Whenever it shall appear to the Grand Jury that any other than the lowest Proposal was unduly accepted, and has been presented for, it shall be lawful for the Grand Jury to nil such Presentment and to present on the Terms of the lowest Proposal or Tender in that Behalf; and in like Manner, if it shall appear to the Judge at the Assizes that any other than the lowest Proposal was unduly accepted and has been presented for at Presentment Sessions and by the Grand Jury, it shall be lawful for such Judge to quash such Presentment and to direct the Grand Jury to present on the Terms of the lowest Proposal in that Behalf, and upon the Party by whom such lowest Proposal was made perfecting such Security as herein-before provided he shall be in all respects liable and entitled as if his Proposal had been accepted at the adjourned Presentment Sessions.

Such Sum may be recovered on Bond as shall have been applied in execution of Work in respect whereof Forfeiture incurred.

3. It shall be lawful to recover in any Suit on such Bond as aforesaid such Sum of Money as shall have been applied or as it shall be necessary to apply to the Execution of the Work in respect whereof the Forfeiture shall have accrued, and in the Case of Contracts extending over One or more Years to sue on such Bond for each and every or any Forfeiture when and as same shall occur: Provided always, that the aggregate of the Moneys recovered in any Suit or Suits on such Bond shall not exceed the penal Sum therein mentioned.

Moneys recovered under Bonds to be paid over to Treasurer.

4. All Moneys recovered under such Bonds shall be forthwith paid over to the Treasurer of the Grand Jury of the County, County of a City, or County of a Town within which the Forfeiture of such Bond may have arisen, and shall be applied, under the Direction of said Grand Jury, and under the Superintendence of the County Surveyor, for the Purposes of the Contract in respect whereof such Forfeiture shall have occurred.

CLAUSE A.
Provision as to "continuous Contracts."

5. And whereas Doubts have arisen as to whether the Provisions of the Seventeenth Section of the Act of the Nineteenth and Twentieth Years of Victoria, Chapter Sixty-three, are applicable to "continuous Contracts:" Be it enacted, That from and after the passing of this Act the Provisions of said Section shall apply to all continuous Contracts in the same Manner and Degree as to any other Contract.

CLAUSE B.
A Cesspayer may act as Chairman in certain Cases.

6. If at any adjourned Sessions for any County, County of a City, or County of a Town in Ireland no Justice shall be present, it shall be lawful for the associated Cesspayers to choose One of their Number to preside thereat; and all Acts or Proceedings of such adjourned Sessions shall be in all respects as good and valid as if a Justice had been presiding.

CLAUSE C.
Recognizances of Constable may be taken before a Master Extraordinary, &c.

7. In all Cases where the Grand Jury of any County in Ireland shall be satisfied of the Solvency of the Securities of a High Constable or Collector of Cess proposed to them, and when it shall be considered by them expedient that such Securities, or any of them, should be taken as herein-after mentioned, that it shall and may be lawful for such Grand Jury, or for the Justices at Special or Quarter Sessions, as the Case may be, to make an Order in Writing that such High Constable and his Sureties, or any One or more of them, shall be at liberty to enter into the usual and necessary Bond and Warrant before any Master Extraordinary or Commissioner for taking Special Bail appointed by Her Majesty's High Court of Chancery in Ireland (and which Bond and Warrant he is hereby empowered and required to take), such Bond and Warrant to be executed, however, within Twenty-one Days next after said Assizes or General Quarter or Special Sessions as aforesaid; and such Bond and Warrant, when so entered into as aforesaid, shall be perfectly valid to all Intents and Purposes as if same were entered into pursuant to the several Acts now in force relating thereto: Provided, however, that if no such Bond and Warrant shall be executed within the Time so limited as aforesaid, that then and in such Case the Appointment of such High Constable shall be from thenceforth null and void to all Intents and Purposes, and a new Appointment made pursuant to the Provisions of the several Acts now in force relating thereto.

Not otherwise than herein stated to alter recited Act.

8. Nothing herein contained shall extend to any Work or Presentment in the County of Dublin or County of the City of Dublin, nor in any way repeal, alter, or vary the Provisions of said first-recited Act, save so far as same are hereby expressly repealed, altered, or varied.

Short Title

9. This Act may be for all Purposes cited as The Grand Jury (Ireland) Amendment Act, 1866.

Grand Juries Presentment (Ireland).

A

BILL

[AS AMENDED IN COMMITTEE AND ON CONSIDERATION OF BILL AS AMENDED]

To amend "An Act to consolidate and "amend the Laws relating to the "Presentment of Public Money by "Grand Juries in Ireland."

(*Prepared and brought in by*
Mr. Esmonde and Mr. Serjeant Armstrong.)

Ordered, by The House of Commons, *to be Printed,*
7 *May* 1866.

[Bill 158.]

Under 1 *oz.*

A

BILL

TO

Amend the General Police and Improvement (Scotland) Act, 1862.

WHEREAS an Act was passed in the Twenty-fifth and Twenty-sixth Years of the Reign of Her present Majesty, intituled "An Act to make more effectual Provision for "regulating the Police of Towns and populous Places in Scotland, "and for lighting, cleansing, paving, draining, supplying Water to "and improving the same, and also for promoting the Public Health "thereof," ("The General Police and Improvement (Scotland) Act, 1862"), and by the Third Section of that Act it was enacted as follows: "The Word 'Householder' shall mean a Male Occupier of "Lands or Premises of the yearly Value of Ten Pounds or upwards "in all Burghs except in populous Places containing less than One "thousand Inhabitants, and in populous Places containing less "than that Number of Inhabitants it shall mean a Male Occupier "of Lands or Premises of the yearly Value of Six Pounds or "upwards:" **Preamble.** 25 & 26 Vict. c. 101.

And whereas it is expedient to repeal the recited Provision of that Act, and to reduce the Qualification of Householders in that Act mentioned in manner herein-after provided:

[Bill 171.]

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The General Police and Improvement (Scotland) Act, 1862, Amendment Act."

Meaning of Word "Householder."

2. From and after the *passing of this Act* the said recited Provision of the Third Section of the recited Act interpreting the Word Householder shall be and is hereby repealed, and the following Provision interpreting the Word Householder shall be substituted therefor; that is to say, "The Word Householder shall mean a Male "Occupier of Lands or Premises of the yearly Value of Six Pounds "or upwards," and the recited Act shall be read and have effect accordingly.

General Police and Improvement (Scotland) Act (1862) Amendment.

A

BILL

To amend the General Police and Improvement (Scotland) Act, 1862.

(Prepared and brought in by
Sir James Fergusson and Mr. Henry Baillie.)

Ordered, by The House of Commons, *to be Printed*
31 *May* 1866.

[Bill 171.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the General Police and Improvement (Scotland) Act, 1862.

WHEREAS an Act was passed in the Twenty-fifth and Twenty-sixth Years of the Reign of Her present Majesty, intituled "An Act to make more effectual Provision for "regulating the Police of Towns and populous Places in Scotland, "and for lighting, cleansing, paving, draining, supplying Water to "and improving the same, and also for promoting the Public Health "thereof" ("The General Police and Improvement (Scotland) Act, 1862"):

Preamble.

25 & 26 Vict. c. 101.

And whereas it is expedient to repeal certain of the Provisions of the recited Act, and to make other Provisions in lieu thereof, in manner herein-after provided:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title, and Commencement of Act.

1. This Act shall take effect as at, from, and after the passing thereof, and may be cited as "The General Police and Improvement (Scotland) Act, 1862, Amendment Act."

2. The

Meaning of Word "Householder."

2. The Provision of the Third Section of the recited Act interpreting the Word Householder shall be and is hereby repealed, and the following Provision interpreting the Word Householder shall be substituted therefor; that is to say, "The Word Householder "shall mean a Male Occupier of Lands or Premises of the yearly "Value of Four Pounds or upwards."

Repealing Sect. 11. of recited Act, and substituting new Provision in lieu thereof.

3. The Eleventh Section of the recited Act shall be and is hereby repealed, and the following Provision shall be substituted therefor; that is to say, "Where any Royal Burgh which has adopted this "Act, in whole or in part, by a Resolution of the Magistrates and "Council thereof, or by a Resolution of any Commissioners acting "under any Local Act, as herein-after provided for, is within or is "in any Part within the Parliamentary Boundaries of such Burgh, "the Magistrates and Council of such Royal Burgh may, by a "Resolution of the Magistrates and Council assembled at a Meeting "to be held for that Purpose, authorize and direct a Petition to "be presented to the Sheriff of the County in which such Royal "Burgh is situated, praying him to extend the Boundaries of such "Royal Burgh to the Parliamentary Boundaries of such Burgh "or to any Part thereof; but no such Resolution shall be valid "unless a Month's previous Notice of the Meeting and the Purpose "thereof has been given in the Manner in which Notices of "Meetings of the Magistrates and Council are usually given, "nor unless Two Thirds of the Members present at the Meeting "concur in the Resolution."

Qualification of Voters; repealing Sect. 27. of recited Act, and substituting new Provision in lieu thereof.

4. The Twenty-seventh Section of the recited Act shall be and is hereby repealed, and the following Provision shall be substituted therefor; that is to say, "At such Meeting, and generally at all "Meetings and Elections under this Act, all Householders shall "be entitled to vote; and it is hereby declared that Male Occupiers "of Lands or Premises of the yearly Value of Four Pounds and "under Ten Pounds shall have each One Vote; Male Occupiers "of Lands or Premises of the yearly Value of Ten Pounds and "under Twenty Pounds shall have each Two Votes; Male Occupiers of Lands or Premises of the yearly Value of Twenty Pounds "and under Fifty Pounds shall have each Three Votes; Male "Occupiers of Lands or Premises of the yearly Value of Fifty Pounds "and upwards shall have each Four Votes; and Companies or "Copartnerships occupying Lands or Premises of the yearly Value "required for the Qualification of a Householder as before defined, "or of greater Value, so as to afford more than One such Qualification, shall be entitled to grant Authority in Writing to any One

" or more of the Partners of such Company or Copartnership to " vote, and which Partner or Partners shall be deemed to be a " Householder within the Meaning of this Act, and be entitled to " vote accordingly: Provided always, that such Company or Co- " partnership shall not so authorize or have Right to vote by more " than One Partner in respect of each such Qualification afforded " by such Premises: Provided also, that in case of any Difficulty " arising as to the Qualification or Identity of any Householder, " the same shall be decided at such Meeting by such Magistrate " or Sheriff, whose Determination shall be final."

Repealing 50th Sect. of recited Act, and substituting new Provision in lieu thereof.

5. The Fifteenth Section of the recited Act shall be and is hereby repealed, and the following Provision shall be substituted therefor; that is to say, " One Third of the Commissioners, or " where the Burgh is divided into Wards One Third of the Commissioners for each Ward, shall go annually out of Office on the " same Day of the Month as that on which the Commissioners " were elected into Office, or on the next lawful Day thereafter in " each Year, and on the same Day of the Month, or the next " lawful Day, annually, the Places of the Commissioners going out " of Office shall be supplied by an equal Number of new Commissioners to be chosen from among the Householders of the Burgh " in the Manner aforesaid, under all the Rules, Regulations, and " Provisions applicable to such First Election, and the like Notice " of such annual Election shall be given as is herein-before directed " to be given of such First Election of Commissioners; provided " that every Meeting for the Election of Commissioners under this " Act after the First Meeting shall be convened and presided over " by the Chief or Senior Magistrate elected under this Act."

Repealing 150th Sect. of recited Act, and substituting new Provision in lieu thereof.

6. The One hundred and fiftieth Section of the recited Act shall be and is hereby repealed, and the following Provision shall be substituted therefor; that is to say, "The Owners of all Lands or " Premises fronting or abutting on any Street shall, at their own " Expense, when required by the Commissioners, cause Footways " before their Property respectively on the Side of such Street to be " made, and to be well and sufficiently paved with flat hewn or " other Stones, or to be constructed in such other Manner and Form " and of such Breadth as the Commissioners shall direct, and shall " thereafter from Time to Time, as Occasion may require, repair and " uphold such Footways; and no such Footway shall be considered " sufficiently made unless the same shall be completed with Kerbstones and Gutters to the Satisfaction of the Commissioners: " Provided always, that where the Lands or Premises of any

"Owner front or abut on any Street for a continuous Length "exceeding One hundred Yards, and such Lands or Premises are "unfenced or unbuilt on, it shall not be lawful to the Commissioners "to require such Owner to construct such Footway, but the Com"missioners may themselves cause such Footway to be constructed "in so far as they think proper, and shall be entitled forthwith to "recover from such Owner One Third of the Expense thereof, and "the remaining Two Thirds thereof whenever the Lands fronting "or abutting on the Footway so constructed by them are actually "fenced or built upon, or laid out or used as a Garden or Pleasure "Ground, or Pertinent of a House."

This and recited Act incorporated.

7. This Act shall be deemed to be incorporated with the recited Act, and the said recited Act shall be read and have Effect accordingly.

General Police and Improvement (Scotland) Act (1862) Amendment.

A

BILL

[AS AMENDED IN COMMITTEE]

To amend the General Police and Improvement (Scotland) Act, 1862.

(*Prepared and brought in by*
Sir James Fergusson and Mr. Henry Baillie.)

Ordered, by The House of Commons, *to be Printed,*
5 *July* 1866.

[Bill 206.]

Under 1 *oz.*

A

BILL

TO

Enable Ministers of Parishes in Scotland to let on Lease, feu, or sell their Glebe Lands.

WHEREAS it is expedient that Power should be given to Ministers of Parishes in Scotland to grant Leases or Feus in perpetuity of their Glebe Lands, or Portions thereof, or to sell the same, in manner after mentioned: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows, viz.:

1. This Act may be cited as "The Glebe Lands (Scotland) Act, 1866." Short Title.

2. In this Act, unless there be something in the Subject or Context repugnant to such Construction,— Interpretation Clause.

The Word "Minister" shall mean the Minister of any Parish in Scotland who shall be in the actual Possession for the Time being of the Stipend and Emoluments of such Parish, and serving the Cure thereof:

The Word "Presbytery" shall mean the Presbytery within the Bounds of which such Parish is situated:

The Word "Heritor" shall mean the Proprietor of any Lands within such Parish to the Extent of at least One hundred Pound Scots of valued Rent yearly appearing in the Land Tax Books of the County within which such Parish is situated:

The Word "Glebe" shall mean the Lands possessed by and appropriated to the Minister as his Glebe, and any additional Lands settled in perpetuity on the Minister for the Time being, and enjoyed by him along with his Glebe:

The Word "Court" shall mean the Court of Session as Commissioners for the Plantation of Kirks and Valuation of Teinds.

Power to grant Leases not exceeding Eleven Years.

3. A Minister may, with Consent of the Presbytery, signified by a Certificate signed by the Moderator and Clerk of the Presbytery, grant a Lease or Leases of his Glebe, or any Part or Parts thereof, for any Term or Terms of Years not exceeding *Eleven Years* from the Term of Whitsunday next after the Date of such Lease, for such yearly Rent or Rents, and upon such Condition or Conditions, as shall be approved of by the Presbytery, but without any Foregift or Grassum, such Approval to be signified by a Certificate written on the Lease or Leases, and signed by the Moderator of such Presbytery; and the Rent or Rents payable under such Lease or Leases shall be paid and belong to the Minister for the Time being.

Application to Court to grant Feus.

4. Subject to the Provisions of this Act, the Minister may from Time to Time, with the Consent of the Presbytery and of the Heritors as herein-after provided, make Application to the Court for Authority to feu his Glebe, or any Part thereof, not for the Time being let on Lease.

Consent of Presbytery to be obtained before Application made;

5. The Minister, previously to making any such Application, shall intimate his Intention so to do to the Presbytery by a Letter addressed to the Moderator, and shall transmit therewith a Copy of the proposed Application, which Intimation and Application shall be laid by the Moderator before the Presbytery at their next Meeting; and if the Presbytery are of opinion that it would be for the Interests of the Benefice that the Glebe should be feued, they shall signify their Consent to such Application, subject to such Conditions, if any, as they think necessary or advisable, by a Certificate to that Effect signed by the Moderator and Clerk.

also Consent of Heritors.

6. Upon such Certificate being granted the Minister shall call a Meeting of Heritors, such Meeting to be summoned by Edictal Citation in the usual Manner, and by Notices sent by Post to each Heritor non-resident, and delivered at the House of each resident

Heritor at least Thirty Days previous to the Day on which such Meeting is to take place, such Meeting to be held on a Day and at an Hour and at a Place to be specified in such Citation and Notices.

Consent of Heritors how to be determined and proved.

7. At that Meeting a Copy of the proposed Application to the Court shall be submitted to the Heritors present or represented at such Meeting; and if approved of by a Majority in Value of such Heritors, or if no Heritors be present at such Meeting, the Clerk to the Heritors shall grant a Certificate under his Hand to the Minister that the Heritors consent to such Application, and such Certificate shall be conclusive Evidence as to the Fact of such Consent having been given.

Minister may then apply to Court for Authority to feu.

8. The Minister may then apply by summary Petition, as hereinafter provided, to the Court for Authority to feu all or any Part of his Glebe.

Particulars to be stated in Application.

9. Every such Petition shall state the Date of the Petitioner's Induction to the Parish, the Amount of the Stipend and other Sources of Emolument attached to the Living, the Extent of the Parish, the Population according to the immediately preceding Census, the Name or Names of the Patron or Patrons of the Parish, and the Grounds on which the Petitioner submits that Benefit will arise to the Minister and his Successors in Office by Authority to feu being granted; and there shall be produced therewith the Certificate of the Presbytery and Heritors.

Intimation to be made of Application.

10. The Court shall appoint the Petition to be intimated in the Minute Book and on the Walls in common Form, and to be served upon the Patron or Patrons, and on all Proprietors of Lands and Heritages conterminous with the Lands proposed to be feued; and shall also appoint Notice of the Petition to be inserted once in the Edinburgh Gazette, and once a Week for Three successive Weeks in such local Newspaper or Newspapers as the Court may think proper.

Court may remit Petition for Inquiry into Facts.

11. After Intimation and Advertisement aforesaid the Court, on considering the Petition, with or without Answers from any Party interested, may remit to such Person or Persons as they shall appoint to inquire into the Facts stated in the Petition, and to report his or their Opinion or Opinions thereon, and as to any Conditions or Restrictions subject to which the Prayer of the Petition should be granted.

12. The

Court may grant Authority, subject to certain Conditions.

12. The Court may, by Order or Interlocutor, and subject to any Conditions or Restrictions they may deem expedient, grant any such Authority, and shall in such Order or Interlocutor fix the minimum Rate at which the Glebe or any Portion thereof shall be feued, and shall authorize and empower the Petitioner, subject to the Provisions of this Act as to Application of the Feu Duties, and the Parties by whom the Contracts, Dispositions, or other Writs are to be executed, to grant and dispose of the Glebe, or any other Part or Parts thereof, in Feu Farm Fee and Heritage for the highest Feu Duties, in Grain or in Money, that can be got for the same, not being less than the said Minimum, and that either by Public Auction or Private Contract; and the Court may make such Remit for giving Effect to their Orders, and for securing that the same and the Provisions of this Act are carried into effect, as they think fit.

Court may authorize Construction of Streets, &c.

13. The Court may also, on such Application, authorize the Minister to make and construct such Streets, Roads, Passages, Sewers, or Drains in and through the Glebe, or any Part thereof, as the Court on Inquiry may find reasonable or expedient with the view of the more advantageous feuing thereof.

Court, in Order granting Authority, to include certain Findings and Directions.

14. When the Court, by Order or Interlocutor, grant any such Authority to feu, they shall determine and direct the Application and Appropriation of the yearly Feu Duties to arise thereunder in accordance with the following Provisions:

(1.) The Payment of the said Feu Duties to the Minister until his entire Income from the Benefice shall amount to a Sum equal to at least *One Half* more than his Income therefrom, at the Date of the said Order, and in the whole to the Sum of Four hundred Pounds per Annum at least, and which said Payment is in this Act called the Minister's Fund:

(2.) The Payment of the Feu Duties, if any, after providing for the Minister's Fund to form a Fund (herein-after called the Parish Fund) for providing additional Spiritual Supervision in the Parish, and the Mode and Manner in which the same is to be applied.

To whom Feu Duties, &c. to be made payable.

15. The said Feu Duties, and the Interest of any Moneys arising from any Sale or Sales in Fee Simple of any Part or Parts of the Glebe invested as herein-after provided, shall be taken payable to the Minister and his Successors in Office serving the Cure of the Parish for the Time, in all Time thereafter, and be recoverable by him or them: Provided that the Minister shall pay any Surplus that may remain after satisfying the Minister's Fund as the Court shall direct.

Further Provisions as to Feu Duties.

16. Subject to the Provisions of this Act the Feu Duties which shall become payable under any Contracts, Dispositions, or Charters of Feu, or Writs by Progress, to be granted in virtue of this Act, shall in all Time thereafter belong to the Minister, and shall be held and enjoyed by him in lieu and place of the natural Possession of such Glebe, or the Rents, Mails, Duties, and Profits of the same, and subject always to the Burden of Payment of Interest on the permanent Burden after referred to, so long as it subsists: Provided that after feuing out the said Subjects or any Part thereof in virtue of this Act, it shall not be competent for the Minister, or his Successors in Office, to make any Demand upon the Heritors, for providing him in a Glebe or in any Portion of Land to make up the full Extent of a legal Glebe.

Right of Preemption by Proprietors whose Lands are conterminous with the Glebe.

17. When the Court shall have made any such Order or Interlocutor, and fixed the minimum Feu Duty, any Proprietor in the Parish whose Lands are conterminous with the Glebe mentioned in such Order or Interlocutor may appear before the Court and intimate his Willingness to feu or purchase in Fee Simple so much of the said Glebe as is conterminous with his Lands, at such a Rate or Price as the Court may, on a Consideration of the whole Circumstances of the Case, and after directing such Inquiry as they may consider necessary, determine; and on such Intimation, and after such Rate or Price shall have been so fixed, the Court shall interpone its Authority, and decern accordingly; and the Minister may thereupon, with the Consents specified in this Act, feu or convey the same same accordingly: Provided that in the event of Two or more conterminous Proprietors intimating their Desire to purchase in Fee Simple or acquire in Feu the said Glebe, or such Portion thereof as the said Application may refer to, the Preference shall be given to the Proprietor offering the highest Price therefor: Provided further, that in the event of such Proprietor electing to purchase the said Glebe Lands, and hold them in Fee Simple, the Purchase Money shall be invested, at Sight of the Heritors and Presbytery in such Securities and in such Manner, as they shall jointly direct, and the Interests or Proceeds only shall be paid to the Minister.

Provisions as to Cost of Application to Court.

18. The Court, on the granting of any such Order or Interlocutor, or at any Time thereafter, on the summary Application of the Minister on whose Application the Interlocutor or Order was granted, or his Heirs, Executors, Administrators, or Assignees, shall inquire into and ascertain the Sums which shall have been paid as the Costs, Charges, and Expenses of applying for and obtaining such Order or Interlocutor and incidental thereto, and of making and constructing Streets, Roads, Passages, Sewers, or Drains in or through the Glebe or any Part thereof, and shall decern the Amount thereof a permanent Burden upon the Glebe; and the Interest thereof, until extinguished, as after provided or otherwise, shall be paid by the Minister for the Time being to the Minister, or to the Heirs, Executors, Administrators, or Assignees of the Minister, by whom the same was incurred and paid.

Casualties to be applied to Extinction of Costs, and Provision as to Payment of Costs.

19. As long as any such Burden shall remain unpaid the Casualties of Superiority which shall become payable under any Contracts, Dispositions, or Charters of Feu, or Writs by Progress for entering Heirs or Successors to be granted as aforesaid, as well as any Payments which may be received from the Grantees thereof in respect of the Construction of Roads, Sewers, or Drains, shall be invested, at the Sight of the Heritors and Presbytery, on such Securities and in such Manner as they shall jointly approve, as a Sinking Fund to meet the said Burden, and the Interest of the said Fund shall be paid to the Minister for the Time being; and as soon as the said Fund shall amount to a Sum sufficient to pay the said Burden, it shall be competent to the Party or Parties entitled thereto to apply to the Court by Petition for Payment thereof, and the Court shall direct and authorize Payment accordingly; and thereupon the Casualties of Superiority thereafter to become due shall form Part of the Income of the Minister for the Time being, and be payable to him.

Title, how to be granted.

20. The Minister, with the Consent of the Moderator of the Presbytery, shall grant, subscribe, and deliver to the Feuar or Feuars, Purchaser or Purchasers, all Contracts, Feu Charters, Dispositions in Feu, Writs of Confirmation, Resignation, Clare constat, or Acknowledgment, Dispositions, Conveyances, or other Writs, containing all usual and necessary Clauses for feudally conveying and vesting the Subjects so feued or sold in the Parties taking the same on Feu or purchasing the same, and the Heirs or singular Successors who shall thereafter acquire Right to the same; and the said Contracts, Feu Dispositions, Conveyances, or Feu Charters, and Writs, so to be granted, shall be deemed and held to be legal and valid Titles of Property in Feu and Heritage, or Fee Simple, (as the Case may be,) of the Properties so feued or conveyed to the several Persons in whose Favour respectively the same shall be granted, and their Heirs and Disponees for ever, and the Subjects for ever freed from being Glebe Lands, any Law or Custom to the contrary notwithstanding; and the said Contracts, Charters, Dispositions, Conveyances, or Writs shall be recorded in the Books of the Presbytery.

Full Value to be stipulated in Titles.

21. In all and each of the said Contracts, Dispositions, Charters, or Writs the full Value of the Ground thereby feued shall be stipulated to be paid in perpetual annual Feu Duties, in Grain or in Money, payable half-yearly, without taking any Sum or Sums of Money, or other Matter or Thing whatsoever, by way of Fine, Foregift, or Grassum; and all Casualties of Superiority accruing on the Renewal of the Title to Heirs or singular Successors shall be taxed at a Duplicate of the annual Feu Duty; and all Feu Duties and Casualties shall be properly and legally secured upon the Ground for which the same are payable, and on the Buildings that may be erected thereon, under the usual Penalties and Forfeitures according to the Law and Practice of Scotland in Feu Holdings.

Minister to enjoy same Privilege as other Superiors.

22. After any such Contracts, Dispositions, Charters of Feu, or Writs shall have been executed, the Minister shall have and enjoy all the same Remedies for enforcing Payment of the said Feu Duties and Casualties of Superiority thereby stipulated and agreed to be paid, and generally all other Rights and Privileges, which by the Law and Practice of Scotland belong and are competent to other Superiors in Feu Holdings.

Presbytery to apply Parish Fund as Court may direct.

23. The Presbytery shall, from Time to Time apply the whole or such Part of the Parish Fund for such Purposes and in such Manner as the Court shall direct.

Court to pass Acts of Sederunt.

24. The Court shall pass such Acts of Sederunt as they may consider necessary to regulate the Form of Procedure to be adopted under this Act for effectually carrying out the Purposes thereof.

Saving existing Acts authorizing the the feuing of Glebes.

25. This Act shall not affect any Act of Parliament now in existence affecting the feuing of Glebes in Scotland, or anything done or contracted to be done thereunder.

Glebe Lands (Scotland).

A

BILL

To enable Ministers of Parishes in Scotland to let on Lease, feu, or sell their Glebe Lands.

(Prepared and brought in by
Sir James Fergusson, Major Walker, and
Mr. M'Lagan.)

Ordered, by The House of Commons, *to be Printed,*
19 *April* 1866.

[Bill 115.]

Under 1 *oz.*

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Enable Ministers of Parishes in Scotland to let on Lease, feu, or sell their Glebe Lands.

Preamble.

WHEREAS it is expedient that Power should be given to Ministers of Parishes in Scotland to grant Leases or Feus of their Glebe Lands, or Portions thereof, or to sell the same, in manner after mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; viz.,

Short Title.

1. This Act may be cited as "The Glebe Lands (Scotland) Act, 1866."

Interpretation Clause.

2. In this Act, unless there be something in the Subject or Context repugnant to such Construction,—

The Word "Minister" shall mean the Minister of any Parish in Scotland for the Time who shall be in possession of a Glebe:

The Word "Presbytery" shall mean the Presbytery within the Bounds of which such Parish is situated:

The Word "Heritor" shall mean the Proprietor of any Lands within such Parish to the Extent of at least One hundred Pound Scots of valued Rent yearly appearing in the Land Tax Books of the County within which such Parish is situated:

The Word "Glebe" shall mean the Lands appropriated to the Minister as his Glebe, and any additional Lands settled in perpetuity on the Minister for the Time being, and enjoyed by him along with his Glebe:

The Word "Court" shall mean the Court of Session as Commissioners for the Plantation of Kirks and Valuation of Teinds.

Power to grant Leases not exceeding Eleven Years.

3. A Minister may, with Consent and Approval of the Presbytery, grant a Lease or Leases of his Glebe, or any Part or Parts thereof, reserving for the Use of the Minister not less than Five Imperial Acres nearest and most convenient to the Manse, which shall be marked out by the Presbytery, for any Term not exceeding Eleven Years, for such yearly Rent or Rents, and upon such Condition or Conditions, as shall be approved of by the Presbytery, but without any Foregift or Grassum, and under the special Condition, if the said reserved Five Acres be included in the said Lease, that such Lease, in so far as they are concerned, shall cease and determine at the First Term of Martinmas Six Months after the Death, Deprivation, Resignation, or Translation of the Minister of the Parish; such Consent and Approval of the Presbytery to be signified by a Certificate written on the Lease or Leases, and signed by the Moderator and Clerk of such Presbytery; and the Rent or Rents payable under such Lease or Leases shall be paid and belong to the Minister.

Power to sell Servitudes or Right of Pasturage.

4. A Minister may, with Consent of the Presbytery and Heritors, sell or dispose of, for such fixed annual Payment in Grain or in Money as may be agreed on, any Servitude or Right of Pasturage over any Lands, which Servitude or Right of Pasturage is possessed by him as Minister of the Parish: Provided always, that if the Proprietor of the Lands over which such Servitude or Right of Pasturage exists, elect to purchase it absolutely, the Purchase Money shall be invested at the Sight of the Heritors and Presbytery on such Securities and in such Manner as they shall jointly direct, and the Interests and Proceeds only shall be paid to the Minister.

Application to Court to grant Feus.

5. Subject to the Provisions of this Act, the Minister may from Time to Time, with the Consent of the Presbytery and of the Heritors as herein-after provided, make Application to the Court by summary Petition for Authority to feu his Glebe, or any Part thereof.

6. Previous to making any such Application the Minister shall intimate his Intention so to do to the Presbytery by a Letter addressed to the Moderator, and shall transmit therewith a Copy of the proposed Application, which Intimation and Application shall be laid by the Moderator before the Presbytery at their First Meeting after receiving the same; and if the Presbytery are of opinion that it would be for the Interests of the Benefice that the Glebe should be feued, they shall signify their Consent to such Application, subject to such Conditions, if any, as they think necessary or advisable, by a Certificate to that Effect written on a Copy of the proposed Application, and signed by the Moderator and Clerk.

Consent of Presbytery to be obtained before Application made;

7. Upon such Certificate being granted the Minister shall call a Meeting of Heritors; such Meeting to be summoned by Intimation from the Pulpit in the usual Manner, and by Notices delivered or sent by Post to each Heritor or his known Agent, at least Thirty Days previous to the Day on which such Meeting is to take place within the Parish, such Meeting to be held on a Day and at an Hour and at a Place to be specified in such Citation and Notices, and at such Meeting every Heritor may vote by Proxy or by Letter under his Hand.

also Consent of Heritors.

8. At that Meeting a Copy of the proposed Application to the Court shall be submitted to the Heritors present or represented at such Meeting; and if approved of by a Majority in Value of such Heritors, or if no Heritors be present or represented at such Meeting, the Clerk to the Heritors shall grant a Certificate under his Hand to the Minister that the Heritors consent to such Application, and such Certificate shall be conclusive Evidence as to the Fact of such Consent having been given.

Consent of Heritors how to be determined and proved.

9. Every such Petition shall state the Date of the Petitioner's Induction to the Parish, the Amount of the Stipend and other Sources of Emolument attached to the Living, the Extent of the Parish, the Population according to the immediately preceding Census, the Nature and Extent of the Glebe, the Purpose of the proposed feuing, the expected Rate of Feu Duty, and the Grounds on which the Petitioner submits that Benefit will arise to the Minister and his Successors in Office by Authority to feu being granted; and there shall be produced therewith the Certificate of the Presbytery and Heritors, and the Form of Feu Charter proposed to be adopted.

Particulars to be stated in Application.

10. The Court shall appoint the Petition to be intimated in the Minute Book and on the Walls in common Form, and to be served upon

Intimation to be made of Application.

upon all Proprietors of Lands and Heritages conterminous with the Lands proposed to be feued; and shall also appoint Notice of the Petition to be inserted once in the Edinburgh Gazette, and once a Week for Three successive Weeks in such local Newspaper or Newspapers as the Court may think proper.

Court may remit Petition for Inquiry into Facts.

11. After Intimation and Advertisement aforesaid, the Court, on considering the Petition, with or without Answers from any Party interested, may remit to such Person or Persons as they shall appoint to inquire into the Facts stated in the Petition, and to report his or their Opinion or Opinions thereon, and as to any Conditions or Restrictions subject to which the Prayer of the Petition should be granted.

Court may grant Authority, subject to certain Conditions.

12. The Court may, by Order or Interlocutor, and subject to any Conditions or Restrictions they may deem expedient, grant such Authority, and shall in such Order or Interlocutor fix the minimum Rate at which the Glebe or any Portion thereof shall be feued, and shall authorize and empower the Petitioner and his Successors in Office at the Sight of the Presbytery, subject to the Provisions of this Act, to grant and dispose of the Glebe, or any Part or Parts thereof, in Feu Farm Fee and Heritage for the highest Feu Duties, in Grain or in Money, that can be got for the same, not being less than the said Minimum, and that either by Public Auction or Private Contract.

Court may authorize Construction of Streets, &c.

13. The Court may also, on such Application, authorize the Minister to make and construct such Streets, Roads, Passages, Sewers, or Drains in and through the Glebe, or any Part thereof, as the Court on Inquiry may find reasonable or expedient with the view of the more advantageous feuing thereof.

To whom Feu Duties, &c. to be made payable.

14. The said Feu Duties, and the Interest of any Monies arising from any Sale or Sales in Fee Simple of any Part or Parts of the Glebe invested as herein-after provided, shall be taken payable to the Minister and his Successors in Office serving the Cure of the Parish for the Time, in all Time thereafter, and be recoverable by him or them: Provided that on the Death of any Minister, his Widow, Heirs, or Executors shall have Right to, and shall be entitled to receive and discharge the said Feu Duties in the same Manner and for the same Length of Time as is provided by the Thirteenth Act of the Third Session of the Second Parliament of Charles the Second, passed at Edinburgh the Twenty-third Day of August One thousand six hundred and seventy-two, intituled "Act for "the Ann. due to the Executors of Bishops and Ministers," with regard to the Stipend of the Parish as Ann.; and provided further, that in the event of any Circumstance causing a Vacancy to be prolonged beyond the Term during which such Widow, Heirs, or Executors have a Right to the said Feu Duties, it shall be lawful for the Heritors of the Parish and Presbytery of the Bounds to uplift and to apply the said Feu Duties to the Provision of Spiritual Superintendence and the Supply of Religious Ordinances in the Parish during the Vacancy.

Further Provisions as to Feu Duties.

15. Subject to the Provisions of this Act the Feu Duties which shall become payable under any Contracts, Dispositions, or Charters of Feu, or Writs by Progress, to be granted in virtue of this Act, shall in all Time thereafter belong to the Minister, and shall be held and enjoyed by him in lieu and place of the natural Possession of such Glebe, or the Rents, Mails, Duties, and Profits of the same, and subject always to the Burden of Payment of Interest on the permanent Burden after referred to, so long as it subsists: Provided that after feuing out or selling the said Subjects or any Part thereof in virtue of this Act, it shall not be competent for the Minister, or his Successors in Office, to make any Demand upon the Heritors, for providing him in a Glebe or in any Portion of Land: Provided always, that nothing herein contained shall preclude or prejudice any Claim which the Minister may have to any additional Glebe that might have been competent to him if this Act had not passed.

Clause A.

Right of Pre-emption by Proprietors whose Lands are conterminous with the Glebe.

16. When the Court shall have made an Order or Interlocutor granting Authority to feu, and fixing the minimum Feu Duty, any Proprietor in the Parish whose Lands are conterminous with the Glebe mentioned in such Order or Interlocutor, may, within Thirty Days of the Date of such Order or Interlocutor, intimate his Willingness to feu or to purchase so much of the said Glebe at such a Rate of Feu Duty or Price as the Court may on a Consideration of the whole Circumstances of the Case, and after directing such Inquiry as they may consider necessary, determine; and if to feu, undertaking to grant Security over the whole or such Part of his Estate, in addition to the said Glebe itself, as to the Court shall seem necessary for the regular and punctual Payment of the Feu Duty fixed by the Court; and on such Intimation, and after such Rate of Feu Duty and Security therefor, or Price shall have been so fixed, the Court shall, in case of feuing, interpone its Authority to the Bond or other Writ in Security and decern accordingly, and in case of Sale shall pronounce a Decree of Sale thereof in favour of such Heritor, on which he shall be entitled to obtain a Charter from the Crown for Payment of a Blench Duty of a Penny Scots, and interpone their Authority accordingly: Provided always, that such

Heritor shall not be entitled to obtain an Extract of the said Decree of Sale until the Price shall be consigned in One of the Chartered Banks in Scotland for behoof of the Minister; and in every Case of such Sale the Price, after Deduction of all Expenses connected with the Application to the Court, shall be invested at Sight of the Heritors and Presbytery on such Securities and in such Manner as they shall jointly direct, and the Interests or Proceeds only shall be paid to the Minister: And it is provided further, that it shall be lawful for any Heir of Entail in Scotland to burden the Lands and Estate of which he or she is in possession as Heir of Entail lying contiguous to such Glebe for the Amount of such Price, or to give Security over the same for the annual Payment out of the clear yearly Rents and Profits of the said Lands and Estate, the Interest of such Sum calculated at Four and One Half per Centum, or the Amount of such annual Payment, not exceeding Three Pounds per Centum of such clear yearly Rents and Profits after deducting all prior Burdens and Provisions, as the same shall be ascertained by an Average of the Five Years immediately preceding the Date of Creation of such Burden or Security.

Provisions as to Cost of Application to Court.

17. The Court, on the granting of any such Order or Interlocutor, or at any Time thereafter, on the summary Application of the Minister on whose Application the Interlocutor or Order was granted, or his Heirs, Executors, Administrators, or Assignees, shall inquire into and ascertain the Sums which shall have been paid as the Costs, Charges, and Expenses of applying for and obtaining such Order or Interlocutor and incidental thereto, and of making and constructing Streets, Roads, Passages, Sewers, or Drains in or through the Glebe or any Part thereof, and shall decern the Amount thereof a permanent Burden upon the Glebe; and the Interest thereof, until extinguished, as after provided or otherwise, shall form a First Charge on the whole Produce and Revenue of the said Glebe.

Casualties to be applied to Extinction of Costs, and Provision as to Payment of Costs.

18. As long as any such Burden shall remain unpaid the Casualties of Superiority which shall become payable under any Contracts, Dispositions, or Charters of Feu, or Writs by Progress for entering Heirs or Successors to be granted as aforesaid, as well as any Payments which may be received from the Grantees thereof in respect of the Construction of Roads, Sewers, or Drains, shall be invested, at the Sight of the Heritors and Presbytery, on such Securities and in such Manner as they shall jointly approve, as a Sinking Fund to meet the said Burden, and the Interest of the said Fund shall be paid to the Minister for the Time being; and as soon as the said Fund shall amount to a Sum sufficient to pay the said

Burden, the same shall be paid off; and thereupon the Casualties of Superiority thereafter to become due shall form Part of the Income of the Minister for the Time being, and be payable to him.

Title, how to be granted.

19. The Minister, with the Consent of the Presbytery, as certified by the Moderator and Clerk thereof, shall grant, subscribe, and deliver to the Feuar or Feuars, Purchaser or Purchasers, all Contracts, Feu Charters, Dispositions in Feu, Writs of Confirmation, Resignation, Clare constat, or Acknowledgment, Dispositions, Conveyances, or other Deeds or Writs, containing all usual and necessary Clauses for feudally conveying and vesting the Subjects so feued or sold in the Parties taking the same on Feu or purchasing the same, and the Heirs or singular Successors who shall thereafter acquire Right to the same; and the said Contracts and other Deeds or Writs so to be granted shall be deemed and held to be as legal and valid Titles of Property in Feu and Heritage, or Fee Simple, (as the Case may be,) of the Properties so feued or conveyed to the several Persons in whose Favour respectively the same shall be granted, and their Heirs and Disponees for ever, as if granted by a Proprietor or Superior with a completed feudal Title holding immediately of the Crown, and the Subjects so feued or conveyed under the Authority of this Act shall be subject to Payment of Poor Rates, any Law or Custom to the contrary notwithstanding; and the said Contracts and other Deeds shall be recorded in the Books of the Presbytery.

Full Value to be stipulated in Titles.

20. In all and each of the said Contracts and other Deeds or Writs the full Value of the Ground thereby feued shall be stipulated to be paid in perpetual annual Feu Duties, in Grain or in Money, payable half-yearly, without taking any Sum or Sums of Money, or other Matter or Thing whatsoever, by way of Fine, Foregift, or Grassum; and all Casualties of Superiority accruing on the Renewal of the Title to Heirs or singular Successors shall be taxed at a Duplicate of the annual Feu Duty; and all Feu Duties and Casualties shall be properly and legally secured upon the Ground for which the same are payable, and on the Buildings that may be erected thereon, under the usual Penalties and Forfeitures according to the Law and Practice of Scotland in Feu Holdings.

Minister to enjoy same Privilege as other Superiors.

21. After any such Contracts and other Deeds or Writs shall have been executed, the Minister shall have and enjoy all the same Remedies for enforcing Payment of the said Feu Duties and Casualties of Superiority thereby stipulated and agreed to be paid, and generally all other Rights and Privileges, which by the Law and Practice of Scotland belong and are competent to other Superiors in Feu Holdings; and the Parties taking any Lands in feu under the Provisions of this Act, and their Heirs and Successors, shall have and enjoy all the Rights and Privileges which by the Law and Practice of Scotland belong and are competent to Vassals in Feu Holdings, in the same Manner and to the same Effect as if they held the said Lands of and under the Minister as a Superior holding immediately of the Crown.

Court to pass Acts of Sederunt.

22. The Court shall pass such Acts of Sederunt as they may consider necessary to regulate the Form of Procedure to be adopted under this Act for effectually carrying out the Purposes thereof.

Saving existing Acts authorizing the the feuing of Glebes.

23. This Act shall not affect any Act of Parliament now in existence affecting the feuing of Glebes in Scotland, or anything done or contracted to be done thereunder.

CLAUSE B. Interpretation of the Expressions "Erection, Improvement, and Enlargement" in the Parochial Buildings (Scotland) Act, 25 & 26 Vict. c. 58. &c.

24. Whereas by the Act Twenty-fifth and Twenty-sixth Victoria, Chapter Fifty-eight, intituled "An Act to make further Provision with "respect to the raising of Money for erecting and improving Paro-"chial Buildings in Scotland" (Twenty-ninth July One thousand eight hundred and sixty-two), it is enacted by Section First, "That "the Expression 'Parochial Buildings' in the said Act shall mean "and include Church, Manse, Churchyard Walls, Schoolhouse, and "Schoolmaster's House respectively;" and it is further enacted by Section Second, "That the Heritors of any Parish in Scotland in "which any new or additional Parochial Building is to be erected, "or any existing Parochial Building is to be improved or to be "enlarged, may at any Meeting of such Heritors resolve that the "Money required to defray the Expense of Erection, Improvement, "or Enlargement of such Parochial Building shall be raised by "annual Assessments extending over a Period of Ten Years;" and on the Adoption of such Resolution such annual Assessments for the Period specified therein shall be imposed, levied, and recovered from the Heritors of such Parish, and with the Liabilities and Rights of Relief as therein provided; and by the Third Section it is enacted, that on the Adoption of such Resolution it shall be lawful for the Heritors of such Parish to borrow the Money required to defray the Expense of the Erection, Improvement, or Enlargement of such Parochial Buildings; and in Security of the Repayment of the Money so borrowed and the Interest thereof to charge and assign the said annual Assessments by a Bond and Assignation, to be signed in manner therein mentioned:

And whereas Doubts have arisen as to whether the Powers to borrow Money and grant Bond therefor under said recited Act apply to the Purchase or Acquisition of Parochial Buildings as defined in the Act:

Be it therefore enacted, That the Expressions "Erection, Improvement, and Enlargement," contained in the said recited Act, shall extend and apply to the Purchase or Acquisition of Parochial Buildings for the Purposes of the said Act, and the Improvement and Enlargement thereof, and the Power to borrow Money required to defray the Expense of the Erection, Improvement, or Enlargement of such Parochial Buildings, and to grant Bond therefor and the Interest thereof, repayable in Ten Years; and the Power to charge and assign the said annual Assessments, as contained in said recited Act, shall extend to and include the Price of Parochial Buildings already erected, purchased, or to be purchased for the Purposes of the Act, and the Ground attached thereto, and the Expense of improving and enlarging the same, including the Purchase of any Feu or Ground Annual payable for such Ground or Buildings; and the Creditors in or Persons having Right to such Bond and Assignation shall have the same Rights and Remedies for Recovery of the Sums, Principal and Interest, due under such Bond and Assignation as are conferred by the said recited Act.

Clause C. Power to transfer One of the Parish Churches in United Parishes to Trustees appointed by a Deed of Constitution of a Parish quoad sacra.

25. Whereas by Act of the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Forty-four, intituled "An Act to facilitate the disjoining or dividing of extensive "or populous Parishes, and the erecting of new Parishes, in that "Part of the United Kingdom called Scotland," Provision is made (by Section Eight) in the Case of a Church built or acquired, or undertaken to be built or acquired, and endowed or undertaken to be endowed by any Person or Persons at his, her, or their Expense, for the Erection of such Church, and a District to be attached thereto quoad sacra, into a Church and Parish in connexion with the Church of Scotland: And whereas there are in Scotland United Parishes in which there are already Two or more Parish Churches maintained: And whereas in such United Parishes an Increase of Population or other Change of Circumstances may take place, rendering it expedient under the Provisions of the said Act to apply for Disjunction from such United Parishes, and Erection into a Parish quoad sacra, of a District thereof: And whereas by said Act no Power is conferred upon the Heritors of such United Parishes to convey or make over any One of the Parish Churches of such United Parish to the Party or Parties who shall have endowed or undertaken to endow such Parish quoad sacra: And whereas it is reasonable and proper that such Power should be conferred: Be it therefore enacted, That on an Application being made in Terms of the said Act of the Seventh and Eighth Years of Her present Majesty, Chapter Forty-four, to the Lords of Council and Session as Commissioners for Plantation of Kirks and Valuation of Teinds, that it shall be lawful for the Heritors of any United Parish in Scotland to convey and make over to the Party or Parties who shall have endowed or undertaken to endow as a Parish quoad sacra such District within such United Parish, the one of such Parish Churches most convenient to such District, as the Church of such Parish quoad sacra in all Time coming, and the Conveyance of such Church by the Heritors present at a Meeting summoned for the Purpose shall be a valid Title thereto in all Time coming.

Glebe Lands (Scotland).

A

BILL

[AS AMENDED IN COMMITTEE]

To enable Ministers of Parishes in Scotland to let on Lease, feu, or sell their Glebe Lands.

(Prepared and brought in by Sir James Fergusson, Major Walker, and Mr. M'Lagan.)

Ordered, by The House of Commons, *to be Printed*, 28 *May* 1866.

[Bill 165.]

Under 2 *oz.*

LORDS AMENDMENTS

TO THE

GLEBE LANDS (SCOTLAND) BILL.

Note.—*The Page and Line refer to the Bill* (139.) *as printed by the Lords.*

Page 1.

In the Title of the Bill—

Line 3. Leave out from (" to ") to (" Glebe ") in Line 5, and insert (" facilitate the letting on Lease, feuing, or selling ")

Line 5. After (" Lands ") insert (" in Scotland ")

Line 1. Leave out from (" given ") to (" to ") in Line 2.

Line 3. Leave out (" their "), and after (" thereof ") insert in Scot- " land ")

Page 2.

Line 3. Leave out (" Pound Scots ") and insert (" Pounds"), and leave out (" valued ") and insert (" real ")

Lines 3 and 4. Leave out (" Land Tax Books ") and insert (" Valuation Roll ")

Line 11. After (" the ") insert (" Heritors and the ")

Line 15. After (" the ") insert (" Heritors and the ")

Line 17. After (" the ") insert (" Heritors and the ")

Line 23. After (" the ") insert (" Heritors and the ")

Line 24. After the second (" the ") insert (" Clerk to the Heritors, " and by the ")

Line 36. Leave out (" they ") and insert (" the Court of Teinds "), and leave out (" jointly ")

Line 42. After (" thereof ") insert (" or to grant Building Leases " thereon for any Term not exceeding Ninety-nine Years ")

Page 3.

Line 8. After (" feued ") insert (" or let on Building Leases ")

Line 14. After (" Notices ") insert (" with a Copy of the proposed " Application enclosed therein ")

Line 22. Leave out (" the Heritors present or represented at ")

[Bill 230.]

Line 23. After ("Majority") insert ("of Two Thirds"), and leave out from the second ("of") to the first ("the") in Line 25, and insert ("the Land Rental of such Parish")

Line 25. After ("Certificate") insert ("to that Effect")

Line 26. Leave out from ("Minister") to the End of the Clause

Line 34. After ("feuing") insert ("or granting Building Leases"), and after ("Duty") insert ("or Rent")

Line 36. After ("feu") insert ("or lease")

Line 38. After ("Charter") insert ("or Building Lease")

Page 4.

Line 2. After ("feued") insert ("or leased for building")

Line 5. After ("proper") insert Clause A.:

"It shall be in the Power of any Proprietor of Lands or Heritages " conterminous with the Lands proposed to be feued or leased for " building to appear and object to the Application being granted, on " the ground of Injury to the Value or Amenity of his said Lands or " Heritages; and it shall be in the Power of the Court, on considering such Objections, to give effect thereto by refusing the " Application in whole or in part")

Line 17. After ("feued") insert ("or leased for building")

Line 18. After the second ("the") insert ("Heritors and the")

Line 21. After ("Duties") insert ("or in Building Leases for the " highest Rent")

Line 28. After ("feuing") insert ("or leasing")

Line 29. After ("Duties") insert ("and Rents")

Line 36. After ("Duties") insert ("and Rents")

Page 5.

Line 4. After ("Duties") insert ("and Rents")

Line 6. After ("Duties") insert ("and Rents")

Line 11. After ("Progress") insert ("and the Rents under any " Building Leases")

Line 17. After ("out") insert ("or letting on Building Lease")

Line 20. After ("Land") insert ("in lieu of the Glebe Land so " feued, leased, or sold")

Line 25. After ("feu") insert ("or let on Building Lease"), and " after ("Duty") insert ("or Rent")

Line 26. Leave out "(in the Parish")

Line 29. After ("feu") insert ("or to rent")

Line 30. After ("Duty") insert ("or Rent")

Line 38. After ("feuing") insert ("or leasing")

Page 6.

Line 7. Leave out ("they") and insert ("the Court of Teinds") and leave out ("jointly")

Line 40. Leave out ("they") and insert ("the Court of Teinds"), and leave out ("jointly")

Page 7.

Line 4. After the second ("the") insert ("Heritors and the")

Line 5. After ("the") insert ("Clerk to the Heritors and by "the"), and leave out ("thereof") and insert ("of the Presbytery")

Line 24. After ("the") insert ("Heritors and of the")

Pages 8 and 9.

Leave out Clauses 24 and 25.

LORDS AMENDMENTS

TO THE

GLEBE LANDS (SCOTLAND) BILL.

Ordered, by The House of Commons, *to be Printed*,
20 *July* 1866.

[Bill 230.]

Under 1 *oz.*

A

BILL

TO

Empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend, and detain until the *First Day of March One thousand eight hundred and sixty-seven,* such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.

WHEREAS a treasonable Conspiracy now unfortunately exists in Ireland: Preamble.

Therefore, for the better Preservation of Her Majesty's most sacred Person, and for securing the Peace, the Laws, and Liberties of this Kingdom, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. That all and every Person and Persons who is, are, or shall be within Prison within that Part of the United Kingdom of Great Britain and Ireland called Ireland at or on the Day on which this Act shall receive Her Majesty's Royal Assent, or after, by Warrant of Her Majesty's Most Honourable Privy Council of Ireland, signed by Six of the said Privy Council, for High Treason or Treason Felony or treasonable Practices, or Suspicion of High Treason or Treason Felony or treasonable Practices, or by Warrant signed by the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, or his or their Chief Secretary, for such Causes as aforesaid, may be detained in safe Custody without Bail or Mainprize until *the First Day of March One thousand eight hundred and sixty-seven*, and that no Judge or Justice of the Peace shall bail or try any such Person or Persons so committed without Order from Her said Majesty's Privy Council until the said *First Day of March One thousand eight hundred and sixty-seven*, any Law or Statute to the contrary notwithstanding.

Persons to whom Warrants of Commitments are directed shall detain the Persons so committed in safe Custody.

2. In Cases where any Person or Persons have been before the passing of this Act, or shall be during the Time this Act shall continue in force, arrested, committed, or detained in Custody by force of a Warrant or Warrants of Her Majesty's most Honourable Privy Council of Ireland, signed by Six of the said Privy Council, for High Treason or Treason Felony or treasonable Practices, or Suspicion of High Treason or Treason Felony or treasonable Practices, or by Warrant or Warrants signed by the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, or his or their Chief Secretary, for such Causes as aforesaid, it shall and may be lawful for any Person or Persons to whom such Warrant or Warrants have been or shall be directed to detain such Person or Persons so arrested or committed in his or their Custody in any Place whatever within Ireland, and that such Person or Persons to whom such Warrant or Warrants have been or shall be directed shall be deemed and taken to be to all Intents and Purposes lawfully authorized to detain in safe Custody, and to be the lawful Gaolers and Keepers of such Persons so arrested, committed, or detained, and that such Place or Places, where such Persons so arrested, committed, or detained are or shall be detained in Custody shall be deemed and taken to all Intents and Purposes to be lawful Prisons and Gaols for the Detention and safe Custody of such Person and Persons respectively; and that it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being, by Warrant signed by him or them, or for the Chief Secretary of such Lord Lieutenant or other Chief Governor or Governors, by Warrant signed by such Chief Secretary, or for Her Majesty's Privy Council of Ireland, by Warrant signed by Six of the Privy Council, from Time to Time, as Occasion shall be, to change

Persons charged with Custody, as also Place of Detention, may be changed by Warrant as herein mentioned.

change the Person or Persons by whom and the Place in which such Person or Persons so arrested, committed, or detained shall be detained in safe Custody.

Copies of Warrants to be transmitted to the Clerk of the Crown for Dublin.

3. Provided always, That Copies of such Warrants respectively shall be transmitted to the Clerk of the Crown in and for the County of the City of Dublin, and shall be filed by him in the Public Office of the Pleas of the Crown in the City of Dublin.

Habeas Corpus Suspension (Ireland).

A

B I L L

To empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend, and detain until the *First Day of March One thousand eight hundred and sixty-seven*, such Persons as he or they shall suspect of conspiring against Her Majesty's Person and Government.

(Prepared and brought in by
Sir George Grey and the Attorney General
for Ireland.)

Ordered, by The House of Commons, *to be Printed,*
16 *February* 1866.

[Bill 21.]

Under 1 *oz.*

A

BILL

TO

Continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled "An Act to empower the Lord Lieu-"tenant or other Chief Governor or Governors "of Ireland to apprehend and detain for a "limited Time such Persons as he or they shall "suspect of conspiring against Her Majesty's "Person and Government."

WHEREAS the Act of the present Session of Parliament, Chapter One, intituled "An Act to empower the Lord "Lieutenant or other Chief Governor or Governors of "Ireland to apprehend and detain for a limited Time such Persons "as he or they shall suspect of conspiring against Her Majesty's "Person and Government," expires on the First Day of September One thousand eight hundred and sixty-six, and it is expedient to continue the same for a further limited Period: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Continuation of 29 Vict. c. 1.

1. The said Act shall continue in force until the Expiration of *Twenty-one Days* after the Commencement of the Session of Parliament immediately succeeding the present Session; and the said Act shall be construed as if the Words "until the Expiration of "Twenty-one Days after the Commencement of the Session immediately succeeding the present Session" were throughout the said Act substituted for the Words "until the First of September One "thousand eight hundred and sixty-six."

Habeas Corpus Suspension (Ireland) Act Continuance.

A

BILL

To continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled "An "Act to empower the Lord Lieutenant or other Chief Governor or "Governors of Ireland to apprehend "and detain for a limited Time such "Persons as he or they shall suspect "of conspiring against Her Majesty's "Person and Government."

(*Prepared and brought in by*
Lord Naas, Mr. Secretary Walpole, and
Mr. Attorney General for Ireland.)

Ordered, by The House of Commons, *to be Printed,*
31 *July* 1866.

[Bill 256.]

Under 1 *oz.*

A

BILL

TO

Amend The Harbours and Passing Tolls, &c. Act, 1861.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for Board of Trade to authorize Suspension of Sinking Fund, &c., under certain Harbour Acts.

24 & 25 Vict. c. 47.

1. Where under The Harbours and Passing Tolls, &c. Act, 1861, any Loan has been or is about to be made by the Public Works Loan Commissioners to a Harbour Authority having borrowing Powers under a Special Act by which the Extinguishment of any Debt of the Harbour Authority by means of annual Payments of a prescribed Amount or within a prescribed Time is required, and the Board of Trade, on the Application of the Harbour Authority, are satisfied that by virtue of the Provision made or about to be made for Repayment within a certain Time of any such Loan or Loans from the Public Works Loan Commissioners there will be extinguished an Amount of Debt of the Harbour Authority not less than that which would in the same Time be extinguished under the Provisions of the Special Act, and the Board of Trade thereupon certify in Writing to the effect that it is expedient that the Operation of the Provisions of the Special Act relative to the Extinguishment of Debt, or such of them as are referred to in the

Certificate, should as from a Time therein specified, and subject to any Conditions therein expressed, be suspended during the Period or Periods for Repayment of such Loan or Loans to the Public Works Loan Commissioners, then and in every such Case the Operation of those Provisions shall be and the same is by virtue of this Act and of the Certificate suspended accordingly.

Restriction on re-borrowing.

2. Any Money borrowed from the Public Works Loan Commissioners to which any Certificate of the Board of Trade under this Act relates, when paid off, shall not be reborrowed.

Short Title.

3. This Act may be cited as The Harbour Loans Act, 1866.

Harbour Loans.

A

B I L L

To amend The Harbours and Passing
Tolls, &c. Act, 1861.

(Prepared and brought in by
Mr. Milner Gibson, Mr. Monsell, and
the Judge Advocate.)

Ordered, by The House of Commons, *to be Printed,*
18 *April* 1866.

[Bill 112.]

Under 1 *oz.*

A
BILL
TO
Amend the Laws as to killing Hares and Rabbits in Scotland.

WHEREAS it is expedient to amend the Laws in reference to the killing of Hares and Rabbits in Scotland:

Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Tenant in Occupation may kill Hares, or appoint One Person to do so.

1. From and after *the passing of this Act* it shall be lawful for any Tenant in Occupation of Lands in Scotland, under any Lease or Agreement of Lease, where the Game is not reserved to the Proprietor by the Lease or otherwise, by himself or by any One Person appointed by him in Writing, to kill and destroy Hares upon Land in his Occupation, in like Manner as it is now competent for Tenants in Occupation of Lands in Scotland to kill Rabbits thereon.

Future Tenants not to be debarred from killing Hares and Rabbits

2. No Tenant in Occupation of Lands in Scotland, and whose Occupation shall commence after *the passing of this Act*, shall be debarred from killing Hares and Rabbits on Lands in his Occupation, otherwise than by an express Stipulation inserted in the Lease or except by express Agreement.

or Agreement of Lease under which he occupies the said Lands, or otherwise by written Agreement duly executed.

Names of Persons appointed to kill Hares to be registered by the Clerk of the Peace.

3. Where a Tenant in Occupation of Lands as aforesaid shall have appointed a Person to kill Hares upon the Lands in his Occupation, he shall transmit to the Clerk of the Peace for the County or Stewartry wherein such Lands are situated a written Nomination of the Party so authorized, in the Form of Schedule (A.) to this Act annexed, which Nomination, or any Nomination to be made of any other Party in lieu of such Party first so appointed, which may be made from Time to Time at the Pleasure of the said Tenant, shall be registered by the Clerk of the Peace in a Register to be kept for that Purpose, and which Register shall at all Times be open for the Inspection of any Proprietor of Land in the County or Stewartry, or any Officer engaged in the Collection of the Public Revenue, and for making each Entry in such Register the Clerk of the Peace shall be entitled to charge the Person desiring the Registration the Sum of *One Shilling*, and further, he shall be entitled to demand *One Shilling* from each Person desiring Inspection of the said Register.

Fee.

Tenant not required to take out Licence to kill Game.

4. It shall not be necessary for a Tenant in Occupation of Lands as aforesaid who shall by himself kill Hares or Rabbits on any Lands occupied by him, being otherwise entitled to do so, to pay in respect thereof any Assessed Taxes, or to take out any Licence to kill Game, in Terms of the Act of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Ninety.

Person authorized to kill Hares and Rabbits not liable to Duty as a Gamekeeper or deemed a Trespasser.

5. No Person authorized by a Tenant, in the Occupation of Lands to kill Hares thereon, and duly registered as aforesaid, and no Person employed by such Tenant to kill Rabbits on said Lands, shall be required to take out any Licence, or be liable to any Duty of Assessed Taxes as Gamekeeper, and when so employed shall not be deemed or taken to be a Trespasser, in Terms of the Act of the Second and Third Years of His late Majesty King William, Chapter Sixty-eight: Provided always, that the Tenant by whom such Person is authorized or employed shall be entitled, under this Act, so to authorize or employ him.

Exemption.

6. Nothing in this Act contained shall affect the Rights of Parties under written Contracts executed before the *passing of this Act*.

SCHEDULE (A).

I *A.B.* authorize *C.D.* to kill Hares on the Lands [*here insert Description of the Lands*] occupied by me in the Parish of [*or* Parishes of].

(Signed) *A.B.*

Hares and Rabbits (Scotland).

A

BILL

To amend the Laws as to killing Hares and Rabbits in Scotland.

(*Prepared and brought in by*
Sir William Stirling-Maxwell and
Lord Henry Scott.)

Ordered, by the House of Commons, *to be Printed*,
9 *July* 1866.

[Bill 210.]

Under 1 *oz.*

A

BILL

TO

Amend an Act of the Fifty-fourth Year of King George the Third, Chapter One hundred and twenty-three, to prevent Frauds and Abuses in the Trade of Hops.

WHEREAS by an Act of Parliament made in the Fifty-fourth Year of the Reign of His late Majesty King George the Third, intituled "An Act to amend an Act "of the Thirty-ninth and Fortieth Years of His present Majesty to "prevent Frauds and Abuses in the Trade of Hops," after reciting that by the said last-mentioned Act it was, among other things, enacted that every Owner, Planter, or Grower of Hops, before he should begin to put any Hops into any Bag or Pocket, should mark or cause to be marked on the Outside thereof his Name and Place of Abode, and that by an Act made in the Forty-eighth Year of the Reign of His said late Majesty, intituled "An Act to amend the "Laws relating to the marking of Bags and Pockets of Hops," it was enacted that every Owner, Planter, or Grower of Hops should also mark on the Outside of every Bag or Pocket of Hops the Name of the Parish and of the County in which the Hops put into such Bag or Pocket should be grown, and that many Persons not only marked their own Names, and the Parishes and Counties in which the

Preamble.
54 G. 3. c. 123.
39 & 40 G. 3. c. 81.
48 G. 3. c. 134.

the Hops were grown, on such Bags or Pockets, but also, in addition thereto, the Name and Symbol of other Counties, to the great Injury of such Owners or Growers whose Description they so used, as well as to the Dealers in Hops and of the Public, it was by the said first-mentioned Act enacted, that from and after the Fifth Day of July One thousand eight hundred and fourteen every Owner, Planter, or Grower of Hops, before he, she, or they should begin to put any Hops into any Bag or Pocket, should mark or cause to be marked on the Outside of each and every such Bag or Bags, in plain and legible Letters of Four Inches in Length at the least, and Half an Inch in Breadth, and on the Outside of every such Pocket, in large, plain, and legible Letters of Three Inches in Length and Half an Inch in Breadth at the least, with durable Ink or Paint, his, her, or their Name or Names, and the Parish and County in which the said Hops to be packed therein were actually grown; and that if any Owner, Planter, or Grower of Hops, or any other Person or Persons, should put any Hops into any Bag or Pocket without having marked or caused to be marked thereon, in manner therein-before directed, the several Matters and Things therein-before required and prescribed, or should, before or at any future Time after such Hops had been packed, mark or cause to be marked thereon the Name of any other Person, Parish, or County than as was therein-before directed or prescribed, or the Symbol appertaining to or anything denoting to be the Symbol of any other County or Place, every such Owner, Planter, or Grower, or other Person or Persons so offending, should for every such Offence forfeit and pay the Sum of Twenty Pounds for every such Bag or Pocket, to be recovered and applied in manner directed by the said therein recited Act; and further, that if any Owner, Planter, or Grower of Hops should knowingly put or suffer to be put any Hops of different Qualities and Value in the same Bag or Pocket, every such Owner, Planter, or Grower should forfeit and pay the Sum of Twenty Pounds for every such Bag or Pocket, to be recovered and applied in manner therein-before directed:

And whereas the said Acts have been found ineffectual for preventing Frauds and Abuses in the Trade of Hops, and it is expedient to amend the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of Words.

1. In the Construction of this Act the Word "Person" shall include any Person, whether a Subject of Her Majesty or not, and any Body Corporate or Body of the like Nature; the Words "Trade Mark" or "Symbol" shall include any Arms or Coat of Arms of any County, City, Borough, Town, or District, or any Name, Signature, Word, Letter, Device, Emblem, Figure, Sign, Seal, Stamp, or other Work of any other Description, lawfully used by any Person to denote that the Hops in any Bag or Pocket were grown or produced by such Person in any particular Parish, County, or Place, or to denote the said Hops to be of a particular Quality or Description; the Words "Bag" or "Pocket" shall include any Package used for containing Hops, or in which Hops are packed and sent from the Grower, Producer, or other Person to any Factor, Merchant, or Brewer, or other Person, either before or after a Sale thereof.

Growers, &c. to mark each Bag or Pocket with Year when Hops were actually grown, and the true Weight thereof.

2. From and after the Day of in the Year *One thousand eight hundred and sixty-six*, every Owner, Planter, or Grower of Hops shall mark or cause to be marked with durable Ink or Paint on the Outside of each and every Bag containing Hops, in plain and legible Figures of Four Inches in Length at the least, and Half an Inch in Breadth, and on the Outside of each and every Pocket containing Hops, in plain and legible Figures of Three Inches in Length at the least, and Half an Inch in Breadth, in addition to his Name, and in addition to the Name of the Parish and of the County in which the Hops put into any such Bag or Pocket shall be grown, as required by the recited Acts, the Year in which such Hops were actually grown, and the true Weight, in Hundredweights, Quarters, and Pounds, of the Hops contained in each and every such Bag or Pocket.

Growers, &c. to comply with the Provisions of 54 G. 3. c. 128. s. 1. before putting Hops into Bags or Pockets. Penalty.

3. If after the Day of in the Year *One thousand eight hundred and sixty-six* any Owner, Planter, or Grower of Hops, or any other Person, shall pack any Hops or cause any Hops to be packed into any Bag or Pocket, and shall not mark or cause to be marked on such Bag or Pocket, in manner directed by the said recited Acts, and by the last preceding Section of this Act, the several Matters and Things required and prescribed, every such Owner, Planter, Grower, or other Person so offending shall for every such Offence forfeit and pay the Sum of *Pounds* for every such Bag or Pocket.

Growers, &c. marking false Description, Symbol, or Trade Mark, subject to Penalty.

4. If after the said Day of *One thousand eight hundred and sixty-six* any Owner, Planter, or Grower of Hops, or any Person to whom any Hops shall have been consigned for Sale or otherwise, or any other Person, shall mark or cause to be marked on any Bag or Pocket, either before or at any Time after any Hops shall have been packed therein, the Name of any Person, Parish, or County other than the Name of the Planter or Grower of such Hops, and the Parish and County in which the said Hops shall have been actually grown, or if such Owner, Planter, Grower, Consignee, or other Person shall at any Time mark or cause to be marked on any such Bag or Pocket containing Hops the Symbol appertaining to any County or Place, or any Imitation thereof, other than that in which the said Hops shall have been actually grown, or any Year other than that in which the said Hops shall have been actually grown, or any Weight other than the true Weight of every such Bag or Pocket, or any Trade Mark not being the Trade Mark of the Owner, Planter, or Grower of the Hops therein contained, and by him usually used to denote the real Owner, Planter, or Grower of, and the Parish, County, or Place in which such Hops were actually grown, every such Owner, Planter, Grower, Consignee, or other Person so offending shall for every such Offence forfeit and pay the Sum of *Pounds* for every such Bag or Pocket.

Growers, &c. mixing Hops of different Qualities and Value subject to a Penalty.

5. Every Owner, Planter, Grower, Consignee, or other Person who shall put or suffer to be put any Hops of different Qualities and Value in the same Bag or Pocket, or who shall sell or expose for Sale, or cause to be sold or exposed for Sale, any such Hops in such Bag or Pocket, shall forfeit and pay for every such Bag or Pocket the Sum of *Pounds:* Provided always, that no Person shall be liable to the aforesaid Penalty or Forfeiture who shall prove that he did the Act or Acts charged against him and mentioned in this Section, bonâ fide, without Intent to defraud, and in Ignorance of the Fact that the said Hops were of different Qualities and Value.

Persons selling or exposing for Sale Hops in Bags or Pockets improperly marked, subject to Penalties.

6. Every Person who after the Day of *One thousand eight hundred and sixty-six* shall sell or expose for Sale, or cause or procure to be sold or exposed for Sale, any Hops contained in any Bag or Pocket, not having marked thereon in manner before directed the several Matters and Things by the said recited Acts and by this Act prescribed, or which shall, at the Time of the said Sale or Exposure for Sale, have marked thereon the Name of any other Person, Parish, or County than is directed and prescribed as aforesaid, or any Symbol or Trade Mark appertaining to any County or Place other than that in which the said Hops shall have been actually grown, or any Imitation thereof, and not being the Trade Mark of the Owner, Planter, or Grower of the Hops therein contained, and by him usually used to denote the real Owner, Planter, or Grower of, and the County or Place in which such Hops were actually grown, shall for every such Offence forfeit and pay a Sum of Money equal to the then Market Value of the Bag or Bags, Pocket or Pockets of

Hops so sold or exposed for Sale, and a further of Money not exceeding *Pounds*, and not less than *Pounds:* Provided always, that no Person shall be liable to the aforesaid Forfeitures or Penalties, or any of them, in respect of any false Description, Trade Mark or Symbol, or Imitation thereof, marked on any Bag or Pocket, who shall bonâ fide sell or expose for Sale any Hops as in this Section aforesaid, who shall bonâ fide believe, and having good Reason for believing (Proof whereof shall be upon such Person), that the Description, Trade Marks, and Symbols, or Imitations thereof, at the Time of such Sale or Exposure for Sale, marked on the Bag or Bags, Pocket or Pockets, so sold or exposed for Sale were genuine and in accordance with the Provisions of this and the said recited Acts.

Proviso in favour of Persons selling, &c. bonâ fide under Belief that Bags or Pockets were duly marked.

7. No Person whatsoever shall after the Day of *One thousand eight hundred and sixty-six* take or suffer to be taken any Hops of Foreign Growth out of the Bags in which they are imported, and re-bag the same in British Bagging, in order to sell, dispose, or export the same as British Hops, under the Penalty of *Pounds* for every Hundredweight, and after that Rate for a greater or lesser Quantity.

Penalty on re-bagging Foreign Hops in British Bags.

8. Every Person who shall wilfully deface or obliterate, add to or alter, any or either of the Matters or Things directed to be marked by this Act, and marked on any Bag or Pocket containing Hops, or who shall wilfully deface, obliterate, add to, or alter any Trade Mark or Symbol marked on any Bag or Pocket containing Hops, or who shall cause or procure any of the aforesaid Matters or Things, or any such Trade Mark or Symbol as aforesaid, to be defaced, obliterated, added to, or altered, or who shall connive at any such Matter or Thing, Trade Mark or Symbol, being so defaced, obliterated, added to, or altered, with Intent to represent, or to cause it to be believed, or as shall be calculated or likely to cause it to be believed, that any Hops contained in any Bag or Pocket were grown by any Person or in any County or Place other than the real Person, County, or Place by and in which the same were grown, shall for every such Defacement, Obliteration, Addition, or Alteration forfeit and pay the sum of *Pounds* for and in respect of each Bag or Pocket whereon any such Defacement, Obliteration, Alteration, or Addition shall be made.

Persons wilfully altering Marks subject to a Penalty

9. Where any Person who at the Time after the Day of *One thousand eight hundred and sixty-six* shall have sold Hops contained in any Bag or Pocket marked with any Name,

Vendors selling Hops falsely marked to give Information as to Persons from whom he purchased or obtained the Hops.

Name, Trade Marks, Symbol, or other Description, contrary to this and the said recited Acts, such Person shall be bound, upon Demand in Writing delivered to him or left for him at his last known Dwelling House, Counting-house, Office of Business, or Place of Abode, by or on behalf of the Person to whom the said Hops shall have been sold, or of any other Person who may have afterwards purchased the same, to give the Person requiring the same, or his Attorney or Agent, within *Forty-eight Hours* after such Demand, full Information in Writing of the Name and Address of the Person from whom he shall have purchased or obtained the said Hops, and of the Time when he purchased or obtained the same; and it shall be lawful for any Justice of the Peace, upon Information upon Oath of such Demand and Refusal, to summon before him the Party refusing, and, on being satisfied that such Demand ought to be complied with, to order such Information to be given within a certain Time to be appointed by him; and any such Party who shall refuse or neglect to comply with such Order shall for every such Offence forfeit and pay the Sum of *Pounds*, and such Refusal or Neglect shall be deemed conclusive Evidence, as against the Person so refusing that he sold the said Hops with full Knowledge that the said Name, Trade Mark, Symbol, or other Description was contrary to the said recited Acts and this Act.

Power of Justice to order Search for Bags or Pockets improperly marked.

10. If after the Day of *One thousand eight hundred and sixty-six* it shall be made appear to any Justice of the Peace, upon Information upon Oath, that Hops contained in any Bag or Pocket, or any Bag or Bags, Pocket or Pockets, are in the Care or Custody of any Person, which Bag or Bags, Pocket or Pockets, there is good Reason to believe, is or are not marked as required by, or has or have thereon any Mark contrary to this Act and the said recited Acts, it shall be lawful for such Justice to issue his Warrant to any Constable or Constables empowering or requiring him to enter upon any Place or Places where such Hops, Bag or Bags, Pocket or Pockets, may be, and to take with him all necessary Persons, and there to search for the said Hops, Bag or Bags, Pocket or Pockets, and if he shall find there any Hops in any Bag or Pocket, or any Bag or Bags, Pocket or Pockets, which he shall bonâ fide believe to be marked contrary to, or not to be marked as by the said Acts and this Act required, to seize the said Hops, Bag or Bags, and Pocket or Pockets, and to detain the same for a Space of Time not exceeding *One Month*, or such further Time as any Justice of the Peace may order.

Description, Trade Mark, or Symbol may be

11. In every Proceeding and Document whatsoever in which any Description, Trade Mark, or Symbol, or Imitation thereof, marked on described generally.

on any Bag or Pocket, or any Part or Parts thereof, shall be intended to be mentioned, it shall not be necessary to set forth any Copy or Facsimile thereof, and it shall be sufficient to describe the same generally as being a Description, Trade Mark, or Symbol, in Imitation thereof, contrary to the said recited Acts and this Act.

Conviction not to affect any Right or Civil Remedy.

12. No Proceeding under this Act or the recited Acts shall take away, diminish, or prejudicially affect any Civil Remedy which the Person aggrieved may be entitled to at Law or in Equity or otherwise, or exempt or excuse any Person from answering or making Discovery upon Examination as a Witness, or upon Interrogatories or otherwise, in any Suit or other Civil Proceeding: Provided always, that no Evidence, Statement, or Discovery which any Person shall be compelled to give or make shall be admissible in Evidence against such Person in support of any Proceeding under this Act or the said recited Acts.

Recovery of Penalties.

13. Where any Person shall have committed any Offence under this Act or the said recited Acts, whereby he shall have forfeited or become liable to pay any Sum of Money, every such Penalty or Sum of Money may be recovered in manner provided by the Fifteenth Section of "The Merchandise Marks Act, 1862."

Summary Proceedings before Justices to be within 11 & 12 Vict. c. 43.

14. In every Case in which any Penalty or Sum of Money forfeited as herein-before mentioned shall be sought to be recovered by a summary Proceeding before Two Justices of the Peace, the Offence or Act by the committing or doing of which such Penalty or Sum of Money shall have been so forfeited shall be and be deemed to be an Offence and Act within the Meaning of a Statute passed in the Twelfth Year of the Reign of Her present Majesty, intituled "An Act to facilitate the Performance of the Duties of "Justices of the Peace out of Sessions, within England and Wales, "with respect to Summary Convictions and Orders;" and the Information, Conviction of the Offender, and other Proceedings for the Recovery of the Penalty or Sum so forfeited shall be had according to the Provisions of the said Act.

How Penalties recovered by Action are to be disposed of.

15. In every Case in which Judgment shall be obtained in any Action for the Amount of any Penalty or Sum of Money forfeited as aforesaid, the Amount of such Penalty or Sum of Money in respect of which such Judgment was so recovered as aforesaid shall be paid by the Defendant to the Sheriff or Officer entitled to levy, demand, or receive the same, who shall account for one Moiety thereof in like Manner as other Monies payable to Her Majesty, and shall pay the other Moiety to the Party aggrieved; and, if it

Plaintiff entitled to Costs.

be not paid, the said Penalty or Sum of Money may be recovered, or the Amount thereof levied, or the Payment thereof enforced by Execution or other proper Proceeding as Money due to Her Majesty; and any Plaintiff suing on behalf of Her Majesty upon obtaining Judgment shall be entitled to recover and have Execution for all the Costs of Suit, which shall include a full Indemnity for all Costs and Charges which he shall or may have expended or incurred in, about, or for the Purposes of the Action, unless the Court or a Judge thereof shall direct that Costs of the ordinary Amount only shall be allowed.

How Penalties recovered by summary Proceedings disposed of.

16. One Moiety of any Penalty or Sum of Money recovered by summary Proceeding as aforesaid shall be deemed Money payable to Her Majesty, and the other Moiety shall be paid by the Justices to the Complainant.

Limitation of Action.

17. No Person shall commence any Action or Proceeding for the Recovery of any Penalty after the Expiration of Three Years next after the committing of the Offence, or should Discovery thereof not be made within the said Three Years, then no Person shall commence any Action or Proceeding for the Recovery of any Penalties after the Expiration of One Year next after the said Discovery of the Offence.

Vendor to be deemed to contract that Description, &c. is genuine.

18. Every Person who after the   Day of *One thousand eight hundred and sixty-six* shall sell any Hops in any Bag or Pocket having marked thereon any Name, Description, Date, Trade Mark, or Symbol intended to indicate the Name of the Person by whom, or the Parish, County, or Place where, or the Year when the said Hops were grown, shall be deemed to contract that the said Description, Date, Trade Mark, and Symbol were genuine and true, and that such Description, Date, Trade Mark, and Symbol were in accordance with this and the said recited Acts.

Party aggrieved may recover Damages.

19. In every Case in which any Person shall do or cause to be done any Act contrary to this or the said recited Acts, every Person aggrieved by any such wrongful Act shall be entitled to maintain an Action or Suit for Damages in respect thereof against the Person who shall be guilty of having done such Act, or causing or procuring the same to be done.

Provisions of the Merchandise Marks Act,

20. The Provisions of the Twenty-third and Twenty-fourth Sections of "The Merchandise Marks Act, 1862," shall be considered as incorporated in this Act as fully as if the same were here set forth and re-enacted at Length. 1862, incorporated.

21. The Expression "The Hop (Prevention of Frauds) Act, 1866," shall be a sufficient Description of this Act. Short Title.

Hop Trade

A

B I L L

To amend an Act of the Fifty-fourth Year of King George the Third, Chapter One hundred and twenty-three, to prevent Frauds and Abuses in the Trade of Hops.

(*Prepared and brought in by*
Mr. Huddleston, Sir Brooke Bridges, and Sir
Edward Dering.)

Ordered, by The House of Commons, *to be Printed,*
23 *February* 1866.

[Bill 36.]

Under 2 oz.

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend an Act of the Fifty-fourth Year of King George the Third, Chapter One hundred and twenty-three, to prevent Frauds and Abuses in the Trade of Hops.

WHEREAS by an Act of Parliament made in the Fifty-fourth Year of the Reign of His late Majesty King George the Third, intituled "An Act to amend an Act "of the Thirty-ninth and Fortieth Years of His present Majesty to "prevent Frauds and Abuses in the Trade of Hops," after reciting that by the said last-mentioned Act it was, among other things, enacted that every Owner, Planter, or Grower of Hops, before he should begin to put any Hops into any Bag or Pocket, should mark or cause to be marked on the Outside thereof his Name and Place of Abode, and that by an Act made in the Forty-eighth Year of the Reign of His said late Majesty, intituled "An Act to amend the "Laws relating to the marking of Bags and Pockets of Hops," it was enacted that every Owner, Planter, or Grower of Hops should also mark on the Outside of every Bag or Pocket of Hops the Name of the Parish and of the County in which the Hops put into such Bag or Pocket should be grown, and that many Persons not only marked their own Names, and the Parishes and Counties in which the

Preamble.
54 G. 3. c. 123.
39 & 40 G. 3. c. 81.

48 G. 3. c. 134.

the Hops were grown, on such Bags or Pockets, but also, in addition thereto, the Name and Symbol of other Counties, to the great Injury of such Owners or Growers whose Description they so used, as well as to the Dealers in Hops and of the Public, it was by the said first-mentioned Act enacted, that from and after the Fifth Day of July One thousand eight hundred and fourteen every Owner, Planter, or Grower of Hops, before he, she, or they should begin to put any Hops into any Bag or Pocket, should mark or cause to be marked on the Outside of each and every such Bag or Bags, in plain and legible Letters of Four Inches in Length at the least, and Half an Inch in Breadth, and on the Outside of every such Pocket, in large, plain, and legible Letters of Three Inches in Length and Half an Inch in Breadth at the least, with durable Ink or Paint, his, her, or their Name or Names, and the Parish and County in which the said Hops to be packed therein were actually grown; and that if any Owner, Planter, or Grower of Hops, or any other Person or Persons, should put any Hops into any Bag or Pocket without having marked or caused to be marked thereon, in manner therein-before directed, the several Matters and Things therein-before required and prescribed, or should, before or at any future Time after such Hops had been packed, mark or cause to be marked thereon the Name of any other Person, Parish, or County than as was therein-before directed or prescribed, or the Symbol appertaining to or anything denoting to be the Symbol of any other County or Place, every such Owner, Planter, or Grower, or other Person or Persons so offending, should for every such Offence forfeit and pay the Sum of Twenty Pounds for every such Bag or Pocket, to be recovered and applied in manner directed by the said therein recited Act; and further, that if any Owner, Planter, or Grower of Hops should knowingly put or suffer to be put any Hops of different Qualities and Value in the same Bag or Pocket, every such Owner, Planter, or Grower should forfeit and pay the Sum of Twenty Pounds for every such Bag or Pocket, to be recovered and applied in manner therein-before directed:

And whereas the said Acts have been found ineffectual for preventing Frauds and Abuses in the Trade of Hops, and it is expedient to amend the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of Words.

1. In the Construction of this Act the Word "Person" shall include any Person, whether a Subject of Her Majesty or not, and any Body Corporate or Body of the like Nature; the Words "Trade Mark" or "Symbol" shall include any Arms or Coat of Arms of any County, City, Borough, Town, or District, or any Name, Signature, Word, Letter, Device, Emblem, Figure, Sign, Seal, Stamp, or other Work of any other Description, lawfully used by any Person to denote that the Hops in any Bag or Pocket were grown or produced by such Person in any particular Parish, County, or Place, or to denote the said Hops to be of a particular Quality or Description; the Words "Bag" or "Pocket" shall include any Package used for containing Hops, or in which Hops are packed and sent from the Grower or Producer to any Factor, Merchant, or Brewer, or other Person, either before or after a Sale thereof.

Growers, &c. to mark each Bag or Pocket with Year when Hops were actually grown, the true progressive Number and gross Weight thereof.

2. From and after the Twenty-first Day of August in the Year One thousand eight hundred and sixty-six, every Owner, Planter, or Grower of Hops shall, within One Month after the said Hops shall have been packed in any Bag or Pocket, mark or cause to be marked with durable Ink or Paint on the Outside of each and every Bag containing Hops, in plain and legible Figures of Four Inches in Length at the least, and Half an Inch in Breadth, and on the Outside of each and every Pocket containing Hops, in plain and legible Figures of Three Inches in Length at the least, and Half an Inch in Breadth, in addition to his Name, and in addition to the Name of the Parish and of the County in which the Hops put into any such Bag or Pocket shall be grown, as required by the recited Acts, the Year in which such Hops were actually grown, the true progressive Number of each and every such Bag or Pocket according to the Numbers of the Bags or Pockets of Hops grown and weighed by such Owner, Planter, or Grower of Hops during the then current Year, and the true gross Weight, in Hundredweights, Quarters, and Pounds, of each and every such Bag or Pocket.

Growers, &c. not marking Bags or Pockets as directed by the said recited Acts and this Act subject to a Penalty.

3. If after the Twenty-first Day of August in the Year One thousand eight hundred and sixty-six any Owner, Planter, or Grower of Hops, or any other Person, shall not mark or cause to be marked on such Bag or Pocket, in manner directed by the said recited Acts, and by the last preceding Section of this Act, the several Matters and Things required and prescribed, every such Owner, Planter, Grower, or other Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds for every such Bag or Pocket.

Growers, &c. marking false Description, Symbol, or

4. If after the said Twenty-first Day of August One thousand eight hundred and sixty-six any Owner, Planter, or Grower of Hops, or any Person to whom any Hops shall have been consigned

Trade Mark, subject to Penalty.

signed for Sale or otherwise, or any other Person, shall mark or cause to be marked on any Bag or Pocket, either before or at any Time after any Hops shall have been packed therein, the Name of any Person, Parish, or County other than the Name of the Planter or Grower of such Hops, and the Parish and County in which the said Hops shall have been actually grown, or if such Owner, Planter, Grower, Consignee, or other Person shall at any Time mark or cause to be marked on any such Bag or Pocket containing Hops the Symbol appertaining to any County or Place, or any Imitation thereof, other than that in which the said Hops shall have been actually grown, or any Year other than that in which the said Hops shall have been actually grown, or any Weight other than the true gross Weight of every such Bag or Pocket of Hops, or any Trade Mark not being the Trade Mark of the Owner, Planter, or Grower of the Hops therein contained, and by him usually used to denote the real Owner, Planter, or Grower of, and the Parish, County, or Place in which such Hops were actually grown, every such Owner, Planter, Grower, Consignee, or other Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds for every such Bag or Pocket.

Growers, &c. mixing Hops of different Qualities and Value subject to a Penalty.

5. Every Person who shall put or suffer to be put any Hops of different Qualities or Value in the same Bag or Pocket, so that a Sample shall not correspond with and truly represent the Bulk, or who shall sell or expose for Sale, or cause to be sold or exposed for Sale, any such Hops in such Bag or Pocket, shall forfeit and pay for every such Bag or Pocket the Sum of Twenty Pounds: Provided always, that no Person shall be liable to the aforesaid Penalty or Forfeiture who shall prove that he did the Act or Acts charged against him and mentioned in this Section, bonâ fide, and without Intent to defraud.

Persons selling or exposing for Sale Hops in Bags or Pockets not marked or improperly marked, subject to Penalties.

6. Every Person who after the Twenty-first Day of August One thousand eight hundred and sixty-six shall sell or expose for Sale, or cause or procure to be sold or exposed for Sale, any Hops contained in any Bag or Pocket, not having marked thereon in manner before directed the several Matters and Things by the said recited Acts and by this Act prescribed, or which shall, at the Time of the said Sale or Exposure for Sale, have marked thereon the Name of any other Person, Parish, or County than is directed and prescribed as aforesaid, or any Symbol or Trade Mark appertaining to any County or Place other than that in which the said Hops shall have been actually grown, or any Imitation thereof, and not being the Trade Mark of the Owner, Planter, or Grower of the Hops therein contained, and by him usually used to denote the real Owner, Planter, or Grower of, and the County or Place in which such Hops were actually grown, or any Year other than that in which the said Hops shall have been actually grown, or any Weight other than the true gross Weight of any such Bag or Pocket of Hops, shall for every such Offence forfeit and pay a Sum of Money equal to the then Market Value of the Bag or Bags, Pocket or Pockets of Hops so sold or exposed for Sale, and a further Sum of Money not exceeding Ten Pounds and not less than Five Pounds: Provided always, that no Person shall be liable to the aforesaid Forfeitures or Penalties, or any of them, in respect of any false Description, Trade Mark or Symbol, or Imitation thereof, marked on any Bag or Pocket, who shall bonâ fide sell or expose for Sale any Hops as in this Section aforesaid, who shall bonâ fide believe, and having good Reason for believing (Proof whereof shall be upon such Person), that the Description, Trade Marks, and Symbols, or Imitations thereof, at the Time of such Sale or Exposure for Sale, marked on the Bag or Bags, Pocket or Pockets, so sold or exposed for Sale were genuine and in accordance with the Provisions of this and the said recited Acts.

Proviso in favour of Persons selling, &c. bonâ fide under Belief that Bags or Pockets were duly marked.

7. No Person whatsoever shall after the Twenty-first Day of August One thousand eight hundred and sixty-six take or suffer to be taken any Hops of Foreign Growth out of the Bags in which they are imported, and re-bag the same in British Bags or Pockets, in order to sell, dispose of, or export the same as British Hops, under the Penalty of Ten Pounds for every Hundredweight, and after that Rate for a greater or lesser Quantity.

Penalty on re-bagging Foreign Hops in British Bags.

8. Every Person who shall wilfully deface or obliterate, add to or alter, any or either of the Matters or Things directed to be marked by this Act, and marked on any Bag or Pocket containing Hops, or who shall wilfully deface, obliterate, add to, or alter any Trade Mark or Symbol marked on any Bag or Pocket containing Hops, or who shall cause or procure any of the aforesaid Matters or Things, or any such Trade Mark or Symbol as aforesaid, to be defaced, obliterated, added to, or altered, or who shall connive at any such Matter or Thing, Trade Mark or Symbol, being so defaced, obliterated, added to, or altered, with Intent to represent, or to cause it to be believed, or as shall be calculated or likely to cause it to be believed, that any Hops contained in any Bag or Pocket were grown by any Person or in any County or Place other than the real Person, County, or Place by and in which the same were grown, shall for every such Defacement, Obliteration, Addition, or Alteration forfeit and pay the Sum of Twenty Pounds for

Persons wilfully altering Marks subject to a Penalty.

and in respect of each Bag or Pocket whereon any such Defacement, Obliteration, Alteration, or Addition shall be made.

Vendors selling Hops falsely marked to give Information as to Persons from whom he purchased or obtained the Hops.

9. Where any Person who at any Time after the Twenty-first Day of August One thousand eight hundred and sixty-six shall have sold Hops contained in any Bag or Pocket marked with any Name, Trade Marks, Symbol, or other Description, contrary to this and the said recited Acts, or not marked according to the Provisions of this Act and the said recited Acts, such Person shall be bound, upon Demand in Writing delivered to him or left for him at his last known Dwelling House, Counting-house, Office of Business, or Place of Abode, by or on behalf of the Person to whom the said Hops shall have been sold, or of any other Person who may have afterwards purchased the same, to give the Person requiring the same, or his Attorney or Agent, within Forty-eight Hours after such Demand, full Information in Writing of the Name and Address of the Person from whom he shall have purchased or obtained the said Hops, and of the Time when he purchased or obtained the same; and it shall be lawful for any Justice of the Peace, upon Information upon Oath of such Demand and Refusal, to summon before him the Party refusing, and, on being satisfied that such Demand ought to be complied with, to order such Information to be given within a certain Time to be appointed by him; and any such Party who shall refuse or neglect to comply with such Order shall for every such Offence forfeit and pay the Sum of Five Pounds, and such Refusal or Neglect shall be deemed conclusive Evidence, as against the Person so refusing, that he sold the said Hops with full Knowledge that the said Name, Trade Mark, Symbol, or other Description was contrary to the said recited Acts and this Act.

Power of Justice to order Search for Bags or Pockets improperly marked.

10. If after the Twenty-first Day of August One thousand eight hundred and sixty-six it shall be made appear to any Justice of the Peace, upon Information upon Oath, that Hops contained in any Bag or Pocket, or any Bag or Bags, Pocket or Pockets, are in the Care or Custody of any Person, which Bag or Bags, Pocket or Pockets, there is good Reason to believe, is or are not marked as required by, or has or have thereon any Mark contrary to this Act and the said recited Acts, it shall be lawful for such Justice to issue his Warrant to any Constable or Constables empowering or requiring him or them to enter upon any Place or Places where such Hops, Bag or Bags, Pocket or Pockets, may be, and to take with him or them all necessary Persons, and there to search for the said Hops, Bag or Bags, Pocket or Pockets, and if he or they shall find there any Hops in any Bag or Pocket, or any Bag or Bags, Pocket or Pockets, which he shall bonâ fide believe to be marked contrary to, or not to be marked as by the said Acts and this Act required, to seize the said Hops, Bag or Bags, and Pocket or Pockets, and to detain the same for a Space of Time not exceeding *One Month*, or such further Time as any Justice of the Peace may order.

Description, Trade Mark, or Symbol may be described generally.

11. In every Proceeding and Document whatsoever in which any Description, Trade Mark, or Symbol, or Imitation thereof, marked on any Bag or Pocket, or any Part or Parts thereof, shall be intended to be mentioned, it shall not be necessary to set forth any Copy or Facsimile thereof, and it shall be sufficient to describe the same generally as being a Description, Trade Mark, or Symbol, in Imitation thereof, contrary to the said recited Acts and this Act.

Conviction not to affect any Right or Civil Remedy.

12. No Proceeding under this Act or the recited Acts shall take away, diminish, or prejudicially affect any Civil Remedy which the Person aggrieved may be entitled to at Law or in Equity or otherwise, or exempt or excuse any Person from answering or making Discovery upon Examination as a Witness, or upon Interrogatories or otherwise, in any Suit or other Civil Proceeding: Provided always, that no Evidence, Statement, or Discovery which any Person shall be compelled to give or make shall be admissible in Evidence against such Person in support of any Proceeding under this Act or the said recited Acts.

Recovery of Penalties.

13. Where any Person shall have committed any Offence under this Act or the said recited Acts, whereby he shall have forfeited or become liable to pay any Sum of Money, every such Penalty or Sum of Money may be recovered in manner provided by the Fifteenth Section of "The Merchandise Marks Act, 1862."

Summary Proceedings before Justices to be within 11 & 12 Vict. c. 43.

14. In every Case in which any Penalty or Sum of Money forfeited as herein-before mentioned shall be sought to be recovered by a summary Proceeding before Two Justices of the Peace, the Offence or Act by the committing or doing of which such Penalty or Sum of Money shall have been so forfeited shall be and be deemed to be an Offence and Act within the Meaning of a Statute passed in the Twelfth Year of the Reign of Her present Majesty, intituled "An Act to facilitate the Performance of the Duties of "Justices of the Peace out of Sessions, within England and Wales, "with respect to Summary Convictions and Orders;" and the Information, Conviction of the Offender, and other Proceedings for the Recovery of the Penalty or Sum so forfeited shall be had according to the Provisions of the said Act.

How Penalties recovered by Action are to be disposed of.

15. In every Case in which Judgment shall be obtained in any Action for the Amount of any Penalty or Sum of Money forfeited as aforesaid, the Amount of such Penalty or Sum of Money in respect of which such Judgment was so recovered as aforesaid shall be paid by the Defendant to the Sheriff or Officer entitled to levy, demand, or receive the same, who shall account for one Moiety thereof in like Manner as other Monies payable to Her Majesty, and shall pay the other Moiety to the Plaintiff; and, if it be not paid, the said Penalty or Sum of Money may be recovered, or the Amount thereof levied, or the Payment thereof enforced by Execution or other proper Proceeding as Money due to Her Majesty; and any Plaintiff suing on behalf of Her Majesty upon obtaining Judgment shall be entitled to recover and have Execution for all the Costs of Suit, which shall include a full Indemnity for all Costs and Charges which he shall or may have expended or incurred in, about, or for the Purposes of the Action, unless the Court or a Judge thereof shall direct that Costs of the ordinary Amount only shall be allowed.

Plaintiff entitled to Costs.

How Penalties recovered by summary Proceedings disposed of.

16. One Moiety of any Penalty or Sum of Money recovered by summary Proceeding as aforesaid shall be deemed Money payable to Her Majesty, and the other Moiety shall be paid by the Justices to the Complainant.

Limitation of Action.

17. No Person shall commence any Action or Proceeding for the Recovery of any Penalty after the Expiration of Three Years next after the committing of the Offence, or should Discovery thereof not be made within the said Three Years, then no Person shall commence any Action or Proceeding for the Recovery of any Penalties after the Expiration of One Year next after the said Discovery of the Offence.

Vendor to be deemed to contract that Description, &c. is genuine.

18. Every Person who after the Twenty-first Day of August One thousand eight hundred and sixty-six shall sell any Hops in any Bag or Pocket having marked thereon any Name, Description, Date, Trade Mark, or Symbol intended to indicate the Name of the Person by whom, or the Parish, County, or Place where, or the Year when the said Hops were grown, shall be deemed to contract that the said Description, Date, Trade Mark, and Symbol were genuine and true, and that such Description, Date, Trade Mark, and Symbol were in accordance with this and the said recited Acts.

Party aggrieved may recover Damages.

19. In every Case in which any Person shall do or cause to be done any Act contrary to this or the said recited Acts, every Person aggrieved by any such wrongful Act shall be entitled to maintain an Action or Suit for Damages in respect thereof against the Person who shall be guilty of having done such Act, or causing or procuring the same to be done.

Provisions of the Merchandise Marks Act, 1862, incorporated.

20. The Provisions of the Twenty-third and Twenty-fourth Sections of "The Merchandise Marks Act, 1862," shall be considered as incorporated in this Act as fully as if the same were here set forth and re-enacted at Length.

From 21st Aug. 1866, s. 2. of 54 Geo. 3. c. 123. repealed.

21. From and after the Twenty-first Day of August One thousand eight hundred and sixty-six the Provisions of the Second Section of the Act passed in the Fifty-fourth Year of the Reign of His late Majesty King George the Third, intituled "An Act to "amend an Act of the Thirty-ninth and Fortieth Years of His then "present Majesty to prevent Frauds and Abuses in the Trade of "Hops," shall be and is hereby repealed.

Short Title.

22. The Expression "The Hop (Prevention of Frauds) Act, 1866," shall be a sufficient Description of this Act.

Hop Trade.

A

BILL

[AS AMENDED IN COMMITTEE]

To amend an Act of the Fifty-fourth Year of King George the Third, Chapter One hundred and twenty-three, to prevent Frauds and Abuses in the Trade of Hops.

(*Prepared and brought in by*
Mr. Huddleston, Sir Brooke Bridges, and Sir
Edward Dering.)

Ordered, by The House of Commons, *to be Printed,*
30 *April* 1866.

[Bill 128.]

Under 2 oz.

Hundred Bridges Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short Title of Act.
2. Application of Act.
3. Interpretation of Terms.
4. Adoption of Act by Justices in Quarter Sessions.
5. Hundred not liable to repair Bridges after Adoption of Act.
6. Repair of Highways leading to Bridges.
7. Liability of County as to future Bridges.

A

B I L L

TO

Make better Provision for the Maintenance and Repair of certain Bridges in England, commonly called Hundred Bridges.

WHEREAS in certain Parts of England the Expense of maintaining and repairing Public Bridges is borne by the Inhabitants of the Hundred: **Preamble.**

And whereas it is expedient to make further Provision for the Maintenance and Repair of such Bridges:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Hundred Bridges Act, 1866." **Short Title of Act.**

2. This Act shall not apply to Scotland or Ireland. **Application of Act.**

3. The following Expressions shall in this Act have the Meanings herein-after assigned to them; that is to say, **Interpretation of Terms:**

"Hundred" shall include a Wapentake: **"Hundred."**

"County."

"County" shall not include a County of a City or a County of a Town, but shall include any Riding, Division, or Liberty of a County having a separate Court of Quarter Sessions of the Peace:

"Parish."

"Parish" shall mean any Place separately maintaining its own Highways.

Adoption of Act by Justices in Quarter Sessions.

4. Where a Hundred is liable to maintain and repair any Bridge, or Part of a Bridge, the Justices of the County in which such Hundred is situate, assembled at any Court of General or Quarter Sessions, (Notice having been previously given of the Intention to propose the Adoption of the Act at such Sessions,) may make an Order for the Adoption of this Act from and after a Time to be specified in such Order, herein-after referred to as the Time of the Adoption of this Act.

Hundred not liable to repair Bridges after Adoption of Act.

5. From and after the Time of the Adoption of this Act in any County no Hundred in such County shall be liable to maintain or repair any Bridge or Part of a Bridge, and all Bridges and Parts of Bridges hitherto maintained or repaired by any Hundred in the said County shall be maintained and repaired as follows; that is to say,

1. If such Bridges are less than Feet in Length from End to End they shall be deemed to be Highways, to be maintained and repaired at the Expense of the Parish in which they are situated:
2. If such Bridges are Feet in Length or upwards from End to End they shall be deemed to be County Bridges, to be maintained and repaired by and at the Expense of the County in which they are situate, in the same Way as if such County had always been a County liable by Law to repair Public Bridges.

Repair of Highways leading to Bridges.

6. All Highways leading to and passing over any Bridges or Parts of Bridges maintained or repaired by a Hundred before the Adoption of this Act shall after the Adoption thereof be maintained and repaired at the Expense of the Parish in which they are situate.

Liability of County as to future Bridges.

7. Any County in which this Act is adopted shall, as respects any Bridges to be built after the passing of this Act, be in all respects in the same Position as if it were a County liable at Common Law to maintain and repair Public Bridges.

Hundred Bridges.

A

B I L L

To make better Provision for the Maintenance and Repair of certain Bridges in England, commonly called Hundred Bridges.

(*Prepared and brought in by*
Mr. Knatchbull-Hugessen and Sir George Grey.

Ordered, by The House of Commons, *to be Printed,*
6 *June* 1866.

[Bill 178.]

Under 1 *oz.*

A

BILL

TO

Authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

Preamble.

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Twenty-first Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures in Schedule may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1866," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Walsall Wood	Stafford	18th May 1865.
Bathford and Warleigh	Somerset	15th June 1865.
Charing and Lenham	Kent	15th June 1865.
Preston Candover	Southampton	25th May 1865.
Warmwell	Dorset	6th July 1865.
Ellergill High Cowbound	Westmorland	3d August 1865.
Chillington	Somerset	17th August 1865.
Coaley	Gloucester	15th June 1865.
Cam	Gloucester	15th June 1865.
Minsterworth (No. 2.)	Gloucester	22d December 1865.
Southey	Southampton	25th May 1865.
Hill	Gloucester	9th January 1866.
Lockton	York	20th December 1865.
Maisemore	Gloucester	9th January 1866.

Inclosure.

A

BILL

To authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

(*Prepared and brought in by*
Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
27 *April* 1866.

[Bill 126.]

Under 1 *oz.*

A

BILL

TO

Authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

Preamble.

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given since the Date of their Twenty-first Annual General Report: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures in Schedule may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1866," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Saint Julliot - - -	Cornwall - -	15th August 1864.
Widdington - - -	Essex - - -	19th October 1865.
Mynydd Bodafon - -	Anglesey - -	4th January 1866.
Coventry (No. 2.) - -	Warwick - -	6th January 1866.
Wainfleet - - -	Lincoln - -	8th February 1866.
Aspeden - - -	Hertford - -	18th May. 1865.
Hopton Wafers - -	Salop - - -	17th May 1866.
Throcking - - -	Hertford - -	18th May 1865.

Inclosure (No. 2.)

A

BILL

To authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

(Prepared and brought in by
Mr. Secretary Walpole and Mr. Hunt.)

Ordered, by The House of Commons, *to be Printed,*
23 *July* 1866.

[Bill 238.]

Under 1 *oz.*

A

B I L L

TO

Indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

WHEREAS divers Persons who, on account of their Offices, Places, Employments, or Professions, or any other Cause or Occasion, ought to have qualified themselves according to an Act of the First Year of King George the First, Statute Two, Chapter Thirteen; or according to an Act of the Tenth Year of King George the Fourth, Chapter Seven; or according to an Act of the Session of the Twenty-first and Twenty-second Years of the Reign of Her Majesty, Chapter Forty-eight; or according to an Act of the same Session, Chapter Forty-nine; or according to an Act of the Twenty-second Year of Her present Majesty, Chapter Ten, have, through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to qualify themselves, within such Time and in such Manner as in and by the said Acts or some of them respectively is required, whereby they have incurred, or may be in danger of incurring, divers Penalties and Disabilities:

1 G. 1. st. 2. c. 13.
10 G. 4. c. 7.
21 & 22 Vict. c. 48.
21 & 22 Vict. c. 49.
22 Vict. c. 10.

For quieting the Minds of Her Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

1. Every Person who, at or before the passing of this Act, hath omitted to take or make or subscribe any Oath, Affirmation, or Assurance, or otherwise to qualify himself within such Time and in such Manner as in and by the said Acts, or any of them, is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act hath taken and subscribed the Oaths or Oath, Affirmation or Assurance, required by Law, or who, on or before the *Twenty-fifth Day of March One thousand eight hundred and sixty-seven*, or if Parliament be then sitting, before the End of the then Session of Parliament, shall take and subscribe the Oaths or Oath, Affirmation or Assurance, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Affirmation or Assurance ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission previous to the passing of this Act of taking or making and subscribing any Oaths or Oath, Affirmation or Assurance, required by the said Acts or any of them, or any other Act or Acts; and every such Person is and shall be fully and actually recapacitated and restored to the same State and Condition as he was in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified himself, according to the abovementioned Acts and every of them; and all Elections of and Acts done or to be done by any such Person, or by Authority derived from him, are and shall be of the same Force and Validity as the same or any of them would have been if such Person had duly taken or made and subscribed such Oath, Affirmation, or Assurance, according to the Directions of the said Acts and every or any of them; and the Qualification of such Person qualifying himself in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person had taken or made and subscribed such Oath or Oaths, Affirmation or Assurance, within the Time and in the Manner appointed by the several Acts before mentioned.

Indemnity to those who have omitted to make and subscribe the Oaths and Declaration required by the Irish Act, 2 Anne, c. 6.

2. And whereas several Persons well affected to Her Majesty's Government, and to the United Church of England and Ireland, have, through Ignorance of the Law, neglected, or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Oaths and Declaration according to the Directions of an Act passed in the Parliament of Ireland in the Second Year of Queen Anne, intituled "An Act to prevent the further Growth of Popery:"

All Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned, by neglecting to qualify themselves according to the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures

feitures incurred by reason of such Omission or Neglect as aforesaid; and no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oaths, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned, anything in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form and in such Place or Places respectively as are directed and appointed by the said last-recited Act, on or before the *Twenty-fifth Day of March One thousand eight hundred and sixty-seven,* or if Parliament be then sitting, before the End of the then Session of Parliament.

Not to indemnify Persons against whom final Judgment has been given.

3. Provided always, That this Act, or anything herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Admissions to Corporations may be stamped after the Time allowed.

4. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns, in Great Britain and Ireland, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns which by several Acts are directed and required to be stamped, may not have been provided, or may not have been stamped, or may have been lost or mislaid:

For the Relief of such Persons whose Appointments and Admissions or the Entries of whose Admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in Great Britain or Ireland, on or before the Twenty-fifth Day of March One thousand eight hundred and sixty-seven, or if Parliament be then sitting, before the End of the then Session of Parliament, to provide or cause to be provided Appointments and Admissions or Entries of Admissions, as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid to the Commissioners of Inland Revenue, to be duly stamped, which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture thereon; and in order to denote the said Duties the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other Public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes, and shall and may hold and enjoy and execute such Office, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

Not to restore Persons to any Office avoided by Judgment.

5. Provided always, That this Act or anything herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of Her Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person, but such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been passed.

General Issue.

6. In case any Action, Suit, Bill of Indictment, or Information shall after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

Indemnity.

A

B I L L

To indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

(*Prepared and brought in by*
Mr. Walpole and Mr. Hunt.)

Ordered, by The House of Commons, *to be Printed,*
4 *August* 1866.

[Bill 259.]

A

B I L L

TO

Legalize the Payment and Distribution of Indian Prize Money by the Treasurer or Secretary of Chelsea Hospital, and to amend an Act for the consolidating and amending the Law relating to the Payment of Army Prize Money.

WHEREAS by the Fourteenth Section of the Act of the Second Year of His late Majesty King William the Fourth, Chapter Fifty-three, for consolidating and amending the Laws relating to the Payment of Army Prize Money, it is provided that all Grants of Money in the Nature of Prize "hereafter "to be made by His Majesty, or by Parliament, or otherwise, to "the Officers and Troops of any Division of the Army employed "upon or engaged in any Capture or Expedition, shall, unless by "the Grant otherwise expressly directed, be received on behalf of "the Army by the Treasurer of Chelsea Hospital or his Deputy, "to be distributed to the Persons entitled thereto, according to "their respective Proportions, under the Provisions of the said "Act:"

And whereas sundry Grants of Money in the Nature of Prize have been from Time to Time made by Her Majesty to the Directors of the East India Company, and since the passing of the Act of the Twenty-first and Twenty-second Years of Her Majesty, "for the "better Government of India," to the Secretary of State for India in Council, for Distribution among the Officers and Troops of Her Majesty's Army in respect of Captures and Expeditions in which such Officers and Troops have been engaged in India:

And whereas such Portions of the Sums of Money so granted as aforesaid as may not have been claimed and distributed in India have been from Time to Time paid over and accounted for by the said Directors and Secretary of State in Council to the said Treasurer as Sums of Money to be received on behalf of the Army by the said Treasurer or his Deputy, to be distributed to the Persons entitled thereto, according to their respective Proportions under the Provisions of the said recited Act, and the said Treasurer hath received and dealt with the same accordingly:

And whereas Doubts have been raised whether the said Directors and Secretary of State in Council had Authority for paying over and accounting for such Monies as aforesaid to the said Treasurer, and whether the said Treasurer or his Deputy could legally receive and distribute the same under the Terms and Provisions of the said recited Act:

And whereas it is expedient that all such Doubts should be removed, and that it should be declared that the said Directors and Secretary of State in Council had Authority for paying over, and the said Treasurer for receiving the same Monies for Distribution under the Provisions of the said recited Act:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Receipt of Treasurer or Secretary of Chelsea Hospital for Sums heretofore paid over as Moneys in nature of Prize to be an effectual Discharge.

1. The Receipt of the Treasurer or Secretary of Chelsea Hospital, or his Deputy, for all Sums of Money heretofore by the said Directors of the East India Company, or the Secretary of State for India in Council, or hereafter by the said Secretary of State, paid over and accounted for as Portions of Grants of Money in the Nature of Prize, shall be a complete and effectual Discharge to the said Directors or Secretary of State, as the Case may be, paying the same, from all Claims of Officers and Troops of Her Majesty's Army having any Right or Title thereto, or to the Distribution thereof, in respect of Captures or Expeditions in which such Officers and Troops have been engaged.

All such Sums as aforesaid to be deemed to

2. All such Monies as have been so received by the said Treasurer, Secretary, or by his Deputy from the said Directors of the late East India Company, or the Secretary of State for India in Council, shall be held and are hereby declared, so far as the same have been dealt with and distributed according to the Provisions of the said Act, to have been legally dealt with and distributed, and so far as the same remain in the Hands of the said Treasurer, Secretary, or his Deputy, that the same are held and are hereby declared to be subject and liable to all the Provisions and Conditions of the said recited Act so far as the same are applicable to Prize granted by Her Majesty to and to be received on behalf of the Army by the said Treasurer of Chelsea Hospital or his Deputy.

have been legally dealt with and distributed.

3. In all Cases where Grants of Money in the Nature of Prize shall hereafter be made by Her Majesty, or by Parliament, or otherwise, to the Secretary of State for India in Council, for the Benefit of Officers and Troops of Her Majesty's Army in respect of Captures and Expeditions in which such Officers and Troops may have been engaged in India, such Portions of the same as are distributable in the United Kingdom or elsewhere out of India shall be received by the said Treasurer, Secretary, or his Deputy, to be distributed to the Persons entitled thereunto, according to their respective Proportions under the Provisions of the said recited Act, and of this and of any other Act amending the same.

Mode of Distribution where Grants hereafter made in nature of Prize.

4. For the Purpose of this Act the Words "Officers and Troops of Her Majesty's Army" shall not be held to include Officers and Soldiers of Her Majesty's European or Native Indian Forces.

Interpretation.

5. Where under the recited Act any Certificate or Order in the Form E., or in any other Form, is required from any Non-commissioned Officer or Soldier who shall be or shall have been an Out-pensioner of Chelsea Hospital, the same may be signed by the Staff Officer of Pensioners for the District in which the said Non-commissioned Officer or Soldier shall reside in lieu of any other Person or Officer mentioned in the said Act.

Signature of Certificates in respect to Out-Pensioners of Chelsea Hospital.

6. Where any Officer, Non-commissioned Officer, or Soldier entitled to Prize Money shall have died before the Payment or Distribution thereof, then, if the Sum to which the Deceased was entitled does not exceed the Sum mentioned in the Army Prize (Shares of Deceased) Act, 1864, it shall not be necessary, for the Purpose of making Payment or Distribution, that Probate or Letters of Administration should be taken out; but in any Case the said Treasurer or Secretary may, if he sees fit, require Probate or Letters of Administration to be taken out, and if, on that Requisition or otherwise, Probate or Letters of Administration are taken out, then he shall pay the Prize Money to the Executor or Administrator.

In certain Cases of Payment on account of Officers or Soldiers deceased, Probate or Letters of Administration need not be taken out.

Payments in Cases aforesaid how to be made.

7. Where the Prize to which the Deceased was entitled does not exceed the Sum last referred to, and Probate or Letters of Administration are not taken out, then the said Treasurer or Secretary shall, if he thinks fit, pay over the same to any Person showing herself or himself to the Satisfaction of the said Treasurer or Secretary to be the Widow of the Deceased, or to be the Child or any Relative of the Deceased, or to be entitled to the Representation to the Deceased, to the end that the said Prize may be applied by the Person to whom it is so paid over in a due Course of Administration, and the same shall be applied accordingly, or else distribute the same according to the Statute of Distributions.

Where Order for Payment of Prize Money liable to Stamp Duty, same may be paid by Receipt or Draft Stamps affixed.

8. Where under the Statutes at present in force an Order for the Payment of Prize Money is liable to Stamp Duty, the Amount of such Duty may be paid by Receipt or Draft Stamps affixed to the said Order, equal in the total Amount thereof to the Stamp Duty payable on an Inland Bill for a Sum equal to that for which the Order is given, and that no Order for any Sum less than *Forty Shillings* shall be liable to Stamp Duty.

Indian Prize Money.

A

BILL

To legalize the Payment and Distribution of Indian Prize Money by the Treasurer or Secretary of Chelsea Hospital, and to amend an Act for the consolidating and amending the Law relating to the Payment of Army Prize Money.

(Prepared and brought in by Mr. Monsell and Mr. Stansfeld.)

Ordered, by The House of Commons, *to be Printed,*
8 *May* 1866.

[Bill 146.]

Under 1 *oz.*

Industrial Schools Bill.

ARRANGEMENT OF CLAUSES.

Preliminary.

CLAUSES.
1. Short Title.
2. Extent of Act.
3. Repeal of Acts in First Schedule.
4. Interpretation.

Industrial Schools.

5. Description of Industrial Schools and Managers.

Inspector.

6. Inspector of Industrial Schools and Assistant.

Certified Industrial Schools.

7. Mode of certifying Industrial School.
8. School not to be certified as Industrial and Reformatory.
9. Gazetting and Proof of Certificate.
10. Inspection of School.
11. Alteration, &c. of Buildings to be approved.
12. Contribution by Counties and Boroughs to Establishment and Enlargement of Schools.
13. Mode of obtaining Approval of Secretary of State.

Classes of Children to be detained in Certified Industrial Schools.

14. Children under 14 found begging, &c.
15. Children under 12 charged with Offences.
16. Refractory Children under 14 in Charge of Parent, &c.
17. Refractory Children under 14 in Workhouses, Pauper Schools, &c.

Order of Detention.

18. Form and Contents of Order sending Child to School.
19. Temporary Detention in Workhouse, &c.
20. Power for Parent, &c. to obtain Change of School in certain Cases.

21. Where Order to be for Detention in School of Parochial Board.
22. Order to be Warrant for Conveyance and Detention.
23. Expenses of Conveyance to School.
24. Evidence of Order of Detention.

Management of School.

25. Religious Instruction in School.
26. Lodging Child out of School.
27. Licence for living out of School.
28. Power to apprentice.
29. Rules of School to be approved by Secretary of State.
30. Evidence as to Reception in School, &c.
31. Liability to Removal not affected by Stay at School.

Offences at School, &c.

32. Refusal to conform to Rules.
33. Escaping from School.
34. Penalty on Persons inducing Offenders to escape from Certified Industrial Schools.

Expenses of Children in Schools.

35. Contribution by Treasury for Children detained.
36. Power for Prison Authority to contract for Reception of Children in Schools.
37. Power for Guardians of Poor, &c. to contribute.
38. Recovery of Cost of Maintenance in Schools in Scotland, when Parishes, &c. are liable.
39. Contribution by Parent, &c.
40. Order for Enforcement of Contribution by Parent, &c.

Discharge, &c. of Children from School.

41. Detention to cease on Child attaining 16.
42. Transfer to another School by Secretary of State.
43. Discharge by Secretary of State.

Withdrawal, &c. of Certificate of School.

44. Power for Secretary of State to withdraw Certificate.
45. Resignation of Certificate by Managers.
46. Gazetting and Evidence of Withdrawal, &c.

47. Cesser

47. Cesser of Reception of Children on Notice, &c.
48. Discharge of Children detained, &c.

Expenses of Prison Authorities, &c.

49. Expenses of Prison Authorities and County Boards how defrayed.

Miscellaneous.

50. Acts regulating Procedure.
51. Use of Forms in Schedule.
52. Service of Notices on Managers.
53. Application of Act to existing Certified Schools.
SCHEDULES.

A

B I L L

TO

Consolidate and amend the Acts relating to Industrial Schools in Great Britain.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Industrial Schools Act, 1866.

Short Title.

2. This Act shall not extend to Ireland.

Extent of Act.

3. The Acts described in the First Schedule to this Act are hereby repealed; but this Repeal shall not affect the past Operation of any such Act, or the Force or Operation of any Certificate, Order, Rule, or Sentence made or passed, or the Validity or Invalidity of anything done or suffered, or any Right, Title, Obligation, or Liability accrued before the passing of this Act; nor shall this Act interfere with the Institution or Prosecution of any Proceeding in respect of any Offence committed against or any Penalty or Forfeiture incurred under any Act hereby repealed.

Repeal of Acts in First Schedule.

Interpretation.

4. In this Act—

The Term "Justice" applies to England only, and means a Justice of the Peace having Jurisdiction in the Place where the Matter requiring the Cognizance of a Justice arises:

The Term "Two Justices" applies to England only, and means Two or more Justices in Petty Sessions, or the Lord Mayor or an Alderman of the City of London, or a Police or Stipendiary Magistrate or other Justice having by Law Authority to act alone for any Purpose with the Powers of Two Justices:

The Term "Magistrate" applies to Scotland only, and includes Sheriff, Sheriff Substitute, Justice of the Peace of a County, Judge in a Police Court, and Provost or Baillie of a City or Burgh, in Scotland:

The Term "Prison Authority" with respect to England has the same Meaning as in The Prisons Act, 1865, and with respect to Scotland means the Administrators of a Prison, as defined by The Prisons (Scotland) Administration Act, 1860:

The Term "Parish" includes a Place separately maintaining its own Poor.

Industrial Schools.

Description of Industrial Schools and Managers.

5. A School in which Industrial Training is provided, and in which Children are lodged, clothed, and fed, as well as taught, shall exclusively be deemed an Industrial School within the Meaning of this Act.

The Persons for the Time being having the Management or Control of such a School shall be deemed the Managers thereof for the Purposes of this Act.

Inspector.

Inspector of Industrial Schools and Assistant.

6. Such One of Her Majesty's Inspectors of Prisons as One of Her Majesty's Principal Secretaries of State (in this Act referred to as the Secretary of State) from Time to Time thinks fit to appoint to be the Inspector of Reformatory Schools shall be also the Inspector of Industrial Schools.

The Secretary of State may from Time to Time appoint a fit Person to assist the Inspector for such Time as in each Instance the Secretary of State thinks fit; and every Person so appointed shall have such of the Powers and Duties of the Inspector of Industrial Schools as the Secretary of State from Time to Time prescribes, but shall act under the Direction of the Inspector.

Certified Industrial Schools.

Mode of certifying Industrial School.

7. The Secretary of State may, on the Application of the Managers of an Industrial School, direct the Inspector of Industrial Schools

to examine into the Condition of the School, and its Fitness for the Reception of Children to be sent there under this Act, and to report to him thereon, and the Inspector shall examine and report accordingly.

If satisfied with the Report of the Inspector the Secretary of State may, by Writing under his Hand, certify that the School is fit for the Reception of Children to be sent there under this Act, and thereupon the School shall be deemed a Certified Industrial School.

School not to be certified as Industrial and Reformatory.

8. A School shall not be at the same Time a Certified Industrial School under this Act and a Certified Reformatory School under any other Act.

Gazetting and Proof of Certificate.

9. A Notice of the Grant of each Certificate shall within One Month be inserted by Order of the Secretary of State in the London or in the Edinburgh Gazette, according as the School to which it refers is in England or in Scotland.

A Copy of the Gazette containing the Notice shall be conclusive Evidence of the Grant, which may also be proved by the Certificate itself, or by an Instrument purporting to be a Copy of the Certificate and to be attested as such by the Inspector of Industrial Schools.

Inspection of School.

10. Every Certified Industrial School shall from Time to Time, and at least once in each Year, be inspected by the Inspector of Industrial Schools, or by a Person appointed to assist him as aforesaid.

Alterations, &c. of Buildings to be approved.

11. No Addition or substantial Alteration shall be made to or in the Buildings of any Certified Industrial School, without the Approval in Writing of the Secretary of State.

Contribution by Counties and Boroughs to Establishment and Enlargement of Schools.

12. In England a Prison Authority may from Time to Time contribute such Sums of Money, and on such Conditions as they think fit, towards the Alteration, Enlargement, or rebuilding of a Certified Industrial School,—or towards the Support of the Inmates of such a School,—or towards the Management of such a School,—or towards the Establishment or building of a School intended to be a Certified Industrial School,—or towards the Purchase of Land required either for the Use of an existing Certified Industrial School, or for the Site of a School intended to be a Certified Industrial School; provided,—

First, that not less than Two Months previous Notice of the Intention of the Prison Authority to take into consideration the making of such Contribution, at a Time and Place to be mentioned in such Notice, be given by Advertisement in some One or more public Newspaper or Newspapers circulated within the District of the Prison Authority, and also in the Manner in which Notices relating to Business to be transacted by the Prison Authority are usually given :

Secondly, that where the Council of a Borough is the Prison Authority, the Order for the Contribution be made at a Special Meeting of the Council :

Thirdly, that where the Contribution is for Alteration, Enlargement, rebuilding, Establishment, or building of a School or intended School, or for Purchase of Land, the Approval of the Secretary of State be previously given for that Alteration, Enlargement, rebuilding, Establishment, building, or Purchase.

In Scotland the County Board may contribute to any Certified Industrial School with the Consent and in the Manner provided by The Prisons (Scotland) Administration Act, 1860.

Mode of obtaining Approval of Secretary of State.

13. In order to obtain the Approval of the Secretary of State as aforesaid where required, the Managers of the School, or Promoters of the intended School, shall forward to the Secretary of State Particulars of the proposed Establishment or Purchase, and a Plan of the proposed Alteration, Enlargement, rebuilding or building, drawn on such Scale, and accompanied by such Particulars and Estimate of Cost, as the Secretary of State thinks fit to require ; and the Secretary of State may approve of the Particulars and Plan submitted to him, with or without Modification, or may disapprove of the same, and his Approval or Disapproval shall be certified by Writing under his Hand.

Classes of Children to be detained in Certified Industrial Schools.

Children under Fourteen found begging, &c.

14. Any Person may bring before *Two* Justices or a Magistrate any Child apparently under the Age of *Fourteen Years* that comes within any of the following Descriptions, namely,—

That is found begging or receiving Alms (whether actually or under the Pretext of selling or offering for Sale any Thing) or being in any Street or public Place for the Purpose of so begging or receiving Alms ;

That is found wandering and not having any Home or settled Place of Abode, or proper Guardianship, or visible Means of Subsistence ;

That is found destitute, either being an Orphan or having a surviving Parent who is undergoing Penal Servitude or Imprisonment ;

That frequents the Company of reputed Thieves.

The Justices or Magistrate before whom a Child is brought as coming within One of those Descriptions, if satisfied on Inquiry of that Fact, and that it is expedient to deal with him under this Act, may order him to be sent to a Certified Industrial School.

Children under Twelve charged with Offences.

15. Where a Child apparently under the Age of *Twelve Years* is charged before Two Justices or a Magistrate with an Offence punishable by Imprisonment or a less Punishment, but has not been in England convicted of Felony, or in Scotland sentenced to Imprisonment for any Term exceeding *Thirty Days*, and the Child ought, in the Opinion of the Justices or Magistrate, (regard being had to his Age and to the Circumstances of the Case,) to be dealt with under this Act, the Justices or Magistrate may order him to be sent to a Certified Industrial School.

Refractory Children under Fourteen in Charge of Parent, &c.

16. Where the Parent or Step-parent or Guardian of a Child apparently under the Age of *Fourteen Years* represents to *Two* Justices or a Magistrate that he is unable to control the Child, and that he desires that the Child be sent to an Industrial School under this Act, the Justices or Magistrate, if satisfied on Inquiry that it is expedient to deal with the Child under this Act, may order him to be sent to a Certified Industrial School.

Refractory Children under Fourteen in Workhouses, Pauper Schools, &c.

17. Where the Guardians of the Poor of a Union or of a Parish wherein Relief is administered by a Board of Guardians, or the Board of Management of a District Pauper School, or the Parochial Board of a Parish or Combination, represent to *Two* Justices or a Magistrate that any Child apparently under the Age of *Fourteen Years*, maintained in a Workhouse or Pauper School of a Union or Parish, or in a District Pauper School, or in the Poorshouse of a Parish or Combination, is refractory, and that it is desirable that he be sent to an Industrial School under this Act, the Justices or Magistrate may, if satisfied that it is expedient to deal with the Child under this Act, order him to be sent to a Certified Industrial School.

Order of Detention.

Form and Contents of Order sending Child to School.

18. The Order of Justices or a Magistrate sending a Child to a School (in this Act referred to as the Order of Detention in a School) shall be in Writing signed by the Justices or Magistrate, and shall specify the Name of the School.

The School shall be some Certified Industrial School (whether situate within the Jurisdiction of the Justices or Magistrate making the Order or not) the Managers of which are willing to receive the Child; and the Reception of the Child by the Managers of the

School shall be deemed to be an Undertaking by them to teach, train, clothe, lodge, and feed him during the whole Period for which he is liable to be detained in the School.

The School named in the Order shall be presumed to be a Certified Industrial School until the contrary is shown.

In determining on the School the Justices or Magistrate shall, if possible, select a School conducted in accordance with the Religious Persuasion to which the Child appears to them or him to belong, and the Order shall specify such Religious Persuasion.

The Order shall specify the Time for which the Child is to be detained in the School, being such Time as to the Justices or Magistrate seems proper for the teaching and training of the Child, but not in any Case extending beyond the Time when the Child will attain the Age of *Sixteen Years.*

Temporary Detention in Workhouse, &c.

19. Two Justices or a Magistrate, while Inquiry is being made respecting a Child or respecting a School to which he may be sent, may, by Order signed by them or him, order the Child to be taken to the Workhouse or Poorshouse of the Union, Parish, or Combination in which he is found or resident,—or where (in Scotland) there is no such Poorshouse, or the Poorshouse is at an inconvenient Distance, to such other Place, not being a Prison, as the Magistrate thinks fit,—and to be detained therein at the Cost of the Union, Parish, or Combination for any Time not exceeding *Seven Days*, or until an Order is sooner made for his Discharge or for his being sent to a Certified Industrial School; and the Guardians of the Poor for the Union or Parish, or the Keeper of the Poorshouse, or other Person to whom the Order is addressed are and is hereby empowered and required to detain him accordingly.

Power for Parent, &c. to obtain Change of School in certain Cases.

20. If the Parent, Step-parent, Guardian, or nearest adult Relative of a Child sent or about to be sent to a Certified Industrial School states to the Justices or Magistrate by whom the Order of Detention has been or is about to be made (or to Two Justices or a Magistrate having the like Jurisdiction) that he objects to the Child being sent to or detained in the School specified or about to be specified in the Order, and names another Certified Industrial School in Great Britain, and signifies his Desire that the Child be sent thereto, then and in every such Case the Justices or Magistrate shall comply with the Request of the Applicant, provided,—

First, that the Application be made before the Child has been sent to a Certified Industrial School, or within *Fourteen Days* after his Arrival at such a School:

Secondly, that the Applicant prove that the Managers of the School named by him are willing to receive the Child:

Thirdly, that the Applicant pay or give Security to pay the following Expenses; namely,—where the Child has not yet been sent to a School any additional Expense incurred in sending him to the School to which he is ordered to be sent under this Section over and above what would have been incurred in sending him to the School to which he otherwise would have been sent,—and where the Child has been sent to a School then the whole Expense of removing him from that School to the other School.

Provided always, with respect to Scotland, that if any Child who has become chargeable to any Parish, and who is under this Section sent from Scotland to a School out of Scotland, might have been removed from Scotland (under any Act for the Time being in force relating to the Relief of the Poor in Scotland) at the Instance of the Inspector of the Poor of the Parish to which he has become chargeable, had he not been sent out of Scotland under this Section, then and in every such Case the Chargeability on such Parish for such Child shall cease on his being so sent out of Scotland.

Where Order to be for Detention in School of Parochial Board.

21. In Scotland where a Magistrate is about to make or has made an Order for sending a Child to a Certified Industrial School, and the Child is chargeable at the Time to any Parish, or has been so chargeable within *Three Months* then last past, and there is in that Parish a Certified Industrial School maintained by the Parochial Board thereof, and the Inspector of the Poor of such Parish certifies to the Magistrate (or to a Magistrate having the like Jurisdiction) that he requires the Child to be sent to the Certified Industrial School in such Parish maintained by the Parochial Board thereof, then and in every such Case the Magistrate shall direct the Child to be sent to the last-mentioned School accordingly, the Inspector of the Poor defraying the Expense of conveying the Child thither; provided that where the Order of Detention has been made, the Application of the Inspector to the Magistrate be made within *Fourteen Days* of the Day of the making of the Order.

Order to be Warrant for Conveyance and Detention.

22. The Order of Detention in a School shall be forwarded to the Managers of the School with the Child, and shall be a sufficient Warrant for the Conveyance of the Child thither, and his Detention there.

Expenses of Conveyance to School.

23. The Expense of conveying to a Certified Industrial School a Child ordered to be sent there shall be defrayed by the Police Authorities by whom he is conveyed, and shall be deemed Part of the current Expenses of those Police Authorities.

24. An

Evidence of Order of Detention.

24. An Instrument purporting to be an Order of Detention in a School and to be signed by Two Justices or a Magistrate, or purporting to be a Copy of such an Order and to be certified as such a Copy by the Clerk to the Justices or Magistrate by whom the Order was made, shall be Evidence of the Order.

Management of School.

Religious Instruction in School.

25. A Minister of the Religious Persuasion specified in the Order of Detention as that to which the Child appears to the Justices or Magistrate to belong may visit the Child at the School on such Days and at such Times as are from Time to Time fixed by Regulations made by the Secretary of State, for the Purpose of instructing him in Religion; and the Child shall be allowed to attend a Place of Worship of that Religious Persuasion at least once on each Sunday, under the Care of a Person appointed or approved by the Managers of the School.

Lodging Child out of School.

26. The Managers of a School may permit a Child sent there under this Act to lodge at the Dwelling of his Parent or of any trustworthy and respectable Person, so that the Managers teach, train, clothe, and feed the Child in the School as if he were lodging in the School itself, and so that they report to the Secretary of State, in such Manner as he thinks fit to require, every Instance in which they exercise a Discretion under this Section.

Licence for living out of School.

27. The Managers of a School may, at any Time after the Expiration of *One Half* of the Period of Detention allotted to a Child, by Licence under their Hands, permit him to live with any trustworthy and respectable Person named in the Licence, and willing to receive and take charge of him.

Any Licence so granted shall not be in force for more than *Three Months*, but may at any Time before the Expiration of those *Three Months* be renewed for a further Period not exceeding *Three Months*, to commence from the Expiration of the previous Period of *Three Months*, and so on from Time to Time until the Period of the Child's Detention is expired.

Any such Licence may also be revoked at any Time by the Managers of the School by Writing under their Hands; and thereupon the Child to whom the Licence related may be required by them, by Writing under their Hands, to return to the School.

The Time during which a Child is absent from a School in pursuance of a Licence shall be deemed to be Part of the Time of his Detention in the School, and at the Expiration of the Time allowed by the Licence he shall be taken back to the School.

A Child escaping from the Person with whom he is placed under a Licence, or refusing to return to the School on the Revocation of his Licence, or at the Expiration of the Time allowed thereby, shall be deemed to have escaped from the School.

Power to apprentice.

28. The Managers of a School may, at any Time after a Child has been placed out on Licence as aforesaid, if he conducted himself well during his Absence from the School, bind him, with his own Consent, Apprentice to any Trade or Calling, notwithstanding that his Period of Detention has not expired.

Rules of School to be approved by Secretary of State.

29. The Managers of a Certified Industrial School may from Time to Time make Rules for the Management and Discipline of the School, not being inconsistent with the Provisions of this Act; but those Rules shall not be enforced until they have been approved in Writing by the Secretary of State; and Rules so approved shall not be altered without the like Approval.

A printed Copy of Rules purporting to be the Rules of a School so approved and to be signed by the Inspector of Industrial Schools shall be Evidence of the Rules of the School.

Evidence as to Reception in School, &c.

30. A Certificate purporting to be signed by One of the Managers of a Certified Industrial School or their Secretary, or by the Superintendent or other Person in charge of the School, to the Effect that the Child therein named was duly received into and is at the signing thereof detained in the School, or has been duly discharged or removed therefrom or otherwise disposed of according to Law, shall be Evidence of the Matters therein stated.

Liability to Removal not affected by Stay at School.
9 & 10 Vict. c. 66.
24 & 25 Vict. c. 55.
27 & 28 Vict. c. 105.

31. The Time during which a Child is detained in a School under this Act shall for all Purposes be excluded in the Computation of Time mentioned in Section One of the Act of the Session of the Ninth and Tenth Years of Her Majesty's Reign (Chapter Sixty-six), "to amend the Laws relating to the Removal of the Poor," as amended by any other Act.

Offences at School, &c.

Refusal to conform to Rules.

32. If a Child sent to a Certified Industrial School, and while liable to be detained there, being apparently above *Ten Years* of Age, and whether lodging in the School itself or not, wilfully neglects or wilfully refuses to conform to the Rules of the School, he shall be guilty of an Offence against this Act, and on summary Conviction thereof before *Two* Justices or a Magistrate shall be liable to be imprisoned, with or without Hard Labour, for any Term not less than *Fourteen Days* and not exceeding *Three Months,*

Months, and the Justices or Magistrate before whom he is convicted may direct him to be sent at the Expiration of the Term of his Imprisonment to a Certified Reformatory School, and to be there detained subject and according to the Provisions of The Reformatory Schools (Great Britain) Act, 1866.

Escaping from School.

33. If a Child sent to a Certified Industrial School, and while liable to be detained there, and whether lodging in the School itself or not, escapes from the School, or neglects to attend thereat, he shall be guilty of an Offence against this Act, and may at any Time before the Expiration of his Period of Detention be apprehended without Warrant, and may (any other Act to the contrary notwithstanding) be then brought before a Justice or Magistrate having Jurisdiction in the Place or District where he is found, or in the Place or District where the School from which he escaped is situate; and he shall thereupon be liable, on summary Conviction before such a Justice or Magistrate, to be, by and at the Expense of the Managers of the School, brought back to the same School, there to be detained during a Period equal to so much of his Period of Detention as remained unexpired at the Time of his committing the Offence.

If the Child charged with such an Offence is apparently above *Ten Years* of Age, then, on his summary Conviction of the Offence before *Two* such Justices or such a Magistrate, he shall be liable, at the Discretion of the Justices or Magistrate, instead of being sent back to the same School, to be imprisoned with or without Hard Labour for any Term not less than *Fourteen Days* and not exceeding *Three Months*, and the Justices or Magistrate before whom he is convicted may direct him to be sent at the Expiration of the Term of his Imprisonment to a Certified Reformatory School, and to be there detained subject and according to the Provisions of The Reformatory Schools (Great Britain) Act, 1866.

Penalty on Persons inducing Offenders to escape from Certified Industrial Schools.

34. If any Person does any of the following Things, (that is to say,)—

First, knowingly assists, directly or indirectly, a Child liable to be detained in a Certified Industrial School to escape from the School;

Second, directly or indirectly induces such a Child so to escape;

Third, knowingly harbours or conceals a Child who has so escaped, or prevents him from returning to School, or knowingly assists in so doing,—

Every such Person shall be guilty of an Offence against this Act, and shall, on summary Conviction thereof before *Two*

Justices or a Magistrate, be liable to a Penalty not exceeding *Twenty Pounds*, or, at the Discretion of the Justices, to be imprisoned for any Term not exceeding *Two Months*, with or without Hard Labour.

Expenses of Children in Schools.

Contribution by Treasury for Children detained.

35. *The Commissioners of Her Majesty's Treasury may from Time to Time contribute, out of Money provided by Parliament for the Purpose, such Sums as the Secretary of State from Time to Time thinks fit to recommend, towards the Maintenance of Children detained in Certified Industrial Schools, not exceeding Two Shillings per Head per Week for Children detained on the Application of their Parents, Step-parents, or Guardians, and not exceeding Five Shillings per Head per Week for other Children.*

Power for Prison Authority to contract for Reception of Children in Schools.

36. In England a Prison Authority may contract with the Managers of a Certified Industrial School for the Reception and Maintenance therein of such Children as are from Time to Time ordered by Justices to be sent there from the District of the Prison Authority.

Power for Guardians of Poor, &c. to contribute.

37. The Guardians of the Poor of a Union or Parish, or the Board of Management of a District Pauper School, or the Parochial Board of a Parish or Combination, may from Time to Time, with the Consent in England of the Poor Law Board, and in Scotland of the Board of Supervision, contribute such Sums as they think fit towards the Maintenance of Children detained in a Certified Industrial School on their Application.

Recovery of Cost of Maintenance in Schools in Scotland, when Parishes, &c. are liable.

38. In Scotland where a Child sent to a Certified Industrial School under this Act is at the Time of his being so sent, or within *Three Months* then last past has been, chargeable to any Parish, the Parochial Board and Inspector of the Poor of the Parish shall, as long as he continues so chargeable, be liable to repay to the Commissioners of Her Majesty's Treasury all Expenses incurred in maintaining him at School under this Act to an Amount not exceeding *Five Shillings per Week*, and in default of Payment those Expenses may be recovered by the Inspector of Industrial Schools, or any Agent of the Inspector, in a summary Manner before a Magistrate having Jurisdiction in the Place where the Parish is situate.

Provided always, that nothing in this Act shall prevent any Parochial Board on whose Funds the Cost of Support of any such Child has become a Charge from adopting such Steps for his Removal as may be competent to them under any Act for the Time being in force relating to the Relief of the Poor in Scotland.

Contribution by Parent, &c.

39. The Parent, Step-parent, or other Person for the Time being legally liable to maintain a Child detained in a Certified Industrial School shall, if of sufficient Ability, contribute to his Maintenance and Training therein a Sum not exceeding *Five Shillings per Week.*

Order for Enforcement of Contribution by Parent, &c.

40. On the Complaint of the Inspector of Industrial Schools, or of any Agent of the Inspector, or of any Constable under the Directions of the Inspector (with which Directions every Constable is hereby required to comply), at any Time during the Detention of a Child in a Certified Industrial School, *Two* Justices or a Magistrate having Jurisdiction at the Place where the Parent, Step-parent, or other Person liable as aforesaid resides may, on Summons to the Parent, Step-parent, or other Person liable as aforesaid, examine into his Ability to maintain the Child, and may, if they or he think fit, make an Order or Decree on him for the Payment to the Inspector or his Agent of such weekly Sum, not exceeding *Five Shillings per Week,* as to them or him seems reasonable, during the whole or any Part of the Time for which the Child is liable to be detained in the School.

Every such Order or Decree may specify the Time during which the Payment is to be made, or may direct the Payment to be made until further Order.

In Scotland any such Order or Decree shall be held to be and to have the Effect of an Order or Decree in each and every Week for Payment of the Sum ordered or decreed to be paid for such Week; and under the Warrant for Arrestment therein contained (which the Magistrate is hereby authorized to grant if he sees fit), it shall shall be lawful to arrest weekly for Payment of such weekly Sum as aforesaid the Wages of the Defender due and current, and such Arrestment shall attach not only to the Wages due and payable to the Defender at the Date thereof, but also to the Wages current for the Week or other Term or Period in which such Arrestment is executed, any Law or Statute notwithstanding.

Every such Payment or a proper proportionate Part thereof shall go in relief of the Charges on Her Majesty's Treasury, and the same shall be accounted for as the Commissioners of Her Majesty's Treasury direct, and where the Amount of the Payment ordered in respect of any Child exceeds the Amount contributed by the Commissioners of Her Majesty's Treasury in respect of that Child, the Balance shall be accounted for and paid to the Managers of the School.

The Secretary of State may, in his Discretion, remit wholly or partially any Payment so ordered.

Two Justices or a Magistrate may from Time to Time vary any such Order as Circumstances require, on the Application either of the Person on whom such Order is made, or of the Inspector of Industrial Schools, or his Agent, on *Fourteen Days* Notice being first given of such Application to the Inspector or Agent, or to the Person on whom the Order is made respectively.

Discharge, &c. of Children from School.

Detention to cease on Child attaining Sixteen.

41. A Person who has attained the Age of *Sixteen Years* shall not be detained in a Certified Industrial School, except with his own Consent in Writing.

Transfer to another School by Secretary of State.

42. The Secretary of State may at any Time order a Child to be transferred from one Certified Industrial School to another, but so that the whole Period of his Detention be not thereby increased.

The Commissioners of Her Majesty's Treasury may pay, out of Money provided by Parliament for the Purpose, such Sum as the Secretary of State thinks fit to recommend in discharge of the Expenses of any such Transfer.

Discharge by Secretary of State.

43. The Secretary of State may at any Time, on the Application of the Parent or Step-parent or any other Relative of a Child detained in a Certified Industrial School, or of the Managers of the School, or of any Authority liable to make any Payment on account of the Child, or (as to Scotland) of the Inspector of the Poor of the Parish in the first instance or ultimately liable for his Support, or if the Secretary of State thinks fit without any such Application, order the Child to be discharged from the School, either absolutely, or on condition of the Parent, Step-parent, Guardian, or any near Relative of the Child undertaking to educate, clothe, and feed him, or entering into such other Undertaking as the Secretary of State thinks fit to require, or on being satisfied that a suitable Employment has been provided for the Child, or that there is otherwise sufficient Cause for his Discharge, and the Child shall be discharged accordingly.

Withdrawal, &c. of Certificate of School.

Power for Secretary of State to withdraw Certificate.

44. The Secretary of State, if dissatisfied with the Condition of a Certified Industrial School, may at any Time, by Notice under his Hand addressed to and served on the Managers thereof, declare that the Certificate of the School is withdrawn as from a Time specified in the Notice, not being less than *Six Months* after the Date thereof; and at that Time the Certificate shall be deemed to be withdrawn accordingly, and the School shall thereupon cease to be a Certified Industrial School.

Resignation of Certificate by Managers.

45. The Managers of a Certified Industrial School may give Notice in Writing to the Secretary of State of their Intention to resign the Certificate of that School, and at the Expiration of *Six Months* from the Receipt of that Notice by the Secretary of State (unless before that Time the Notice is withdrawn) the Certificate shall be deemed to be resigned accordingly, and the School shall thereupon cease to be a Certified Industrial School.

Gazetting and Evidence of Withdrawal, &c.

46. A Notice of the Withdrawal or Resignation of the Certificate of a Certified Industrial School shall within One Month be inserted by Order of the Secretary of State in the London or in the Edinburgh Gazette, according as the School is in England or Scotland.

A Copy of the Gazette containing such Notice shall be conclusive Evidence of such Withdrawal or Resignation.

A Certificate shall be presumed to be in force until the Withdrawal or Resignation thereof is proved.

Cesser of Reception of Children on Notice, &c.

47. Where Notice is given of the Withdrawal or Resignation of the Certificate of a Certified Industrial School no Child shall be received into the School for Detention under this Act after the Receipt by the Managers of the School of the Notice of Withdrawal, or after the Date of the Notice of Resignation, as the Case may be; but the Obligation of the Managers to teach, train, clothe, lodge, and feed any Children detained in the School at the Time of such Receipt or at the Date of such Notice shall, except as far as the Secretary of State otherwise directs, be deemed to continue until the Withdrawal or Resignation of the Certificate takes effect.

Discharge of Children detained, &c.

48. Where a School ceases to be a Certified Industrial School the Children detained therein shall be either discharged or transferred to some other Certified Industrial School by Order of the Secretary of State.

Expenses of Prison Authorities, &c.

Expenses of Prison Authorities and County Boards how defrayed.

49. Expenses incurred by a Prison Authority in England in carrying into effect the Provisions of this Act shall be deemed Expenses incurred by that Authority in carrying into effect the Provisions of The Prison Act, 1865, and shall be defrayed accordingly.

Expenses incurred by a County Board in Scotland in carrying into effect the Provisions of this Act shall be a Charge on the Assessment for current Expenses incurred by that Board in carrying into effect the Provisions of The Prisons (Scotland) Administration Act, 1860.

50. The

Miscellaneous.

50. The following Acts—

In England, the Act of the Session of the Eleventh and Twelfth Years of Her Majesty's Reign (Chapter Forty-three), "to "facilitate the Performance of the Duties of Justices of the "Peace out of Sessions, within England and Wales, with "respect to summary Convictions and Orders," and any Acts amending the same;

In Scotland, The Summary Procedure Act, 1864,—

Shall apply to all Offences, Payments, and Orders in respect of which Jurisdiction is given to Justices or a Magistrate by this Act, or which are by this Act directed to be prosecuted, enforced, or made in a summary Manner or on summary Conviction.

Acts regulating Procedure.

51. No Summons, Notice, or Order made for the Purpose of carrying into effect the Provisions of this Act shall be invalidated for Want of Form only; and the Forms in the Schedule to this Act annexed, or Forms to the like Effect, may be used in the Cases to which they refer, and when used shall be deemed sufficient.

Use of Forms in Schedule.

52. Any Notice may be served on the Managers of a Certified Industrial School by being delivered to any One of them personally, or by being sent by Post or otherwise in a Letter addressed to them or any of them at the School, or at the usual or last known Place of Abode of any of the Managers, or of their Secretary.

Service of Notices on Managers.

53. This Act shall apply to all Certified Industrial Schools being such at the passing of this Act, and to all Children sent thereto before the passing of this Act, but no Child shall be detained at any Industrial School, in pursuance of any Order made before the passing of this Act, for a longer Period than he would have been liable to be detained if this Act had not been passed.

Application of Act to existing Certified Schools.

The FIRST SCHEDULE.

Acts repealed.

24 & 25 Vict. c. 113.	The Industrial Schools Act, 1861.
24 & 25 Vict. c. 132.	The Industrial Schools (Scotland) Act, 1861.
25 & 26 Vict. c. 10.	An Act for continuing for a further limited Time, and for extending the Operation of Orders made under the Industrial Schools Act, 1861, and The Industrial Schools (Scotland) Act, 1861.

The SECOND SCHEDULE.

FORMS.

(A.)

Order sending Child to Industrial School.

to wit. } Be it remembered, That on the Day of in pursuance of The Industrial Schools (Great Britain) Act, 1866, we, Two of Her Majesty's Justices of the Peace for the said [*County*] of , do order that *A.B.* of be sent to the Certified Industrial School at , and that he be detained there during ; and we declare that the Religious Persuasion to which the said *A.B.* appears to us to belong is that of [*the Church of England, or as the Case may be*].

(Signed) *L.M.*
N.O.

(B.)

Order in Scotland on Parent, for Payment towards Maintenance of Child.

The Sheriff [*or as the Case may be*] having considered the Complaint of *E.F.*, the Inspector of Industrial Schools, made under The Industrial Schools (Great Britain) Act, 1866, and having heard Parties thereon [*or*, in absence of *C.D., designing him,* duly cited, but not appearing], pursuant to the said Act, decerns *C.D.* complained on, weekly and every Week from the Day of to pay to the said *E.F.*, or to his Agent from Time to Time authorized to receive the same, the Sum of Shillings for the Maintenance and Training of *A.B.*, Son [*or as the Case may be*] of the said *C.D.*, now detained in the Certified Industrial School of under an Order by of Date until the said Child attains the Age of Sixteen Years or is lawfully discharged from the said School, and grants Warrant of Arrestment to be executed by any Constable or Messenger at Arms.

Given under my Hand this Day of at
in the County aforesaid.

[*Magistrate's Signature.*]

Industrial Schools.

A

BILL

To consolidate and amend the Acts relating to Industrial Schools in Great Britain.

(Prepared and brought in by
Mr. Knatchbull-Hugessen and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
17 *May* 1866.

[Bill 163.]

Under 3 *oz.*

Industrial Schools Bill.

[AS AMENDED IN COMMITTEE.]

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A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Consolidate and amend the Acts relating to Industrial Schools in Great Britain.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Industrial Schools Act, 1866. Short Title.

2. This Act shall not extend to Ireland. Extent of Act.

3. The Acts described in the First Schedule to this Act are hereby repealed; but this Repeal shall not affect the past Operation of any such Act, or the Force or Operation of any Certificate, Order, Rule, or Sentence made or passed, or the Validity or Invalidity of anything done or suffered, or any Right, Title, Obligation, or Liability accrued before the passing of this Act; nor shall this Act interfere with the Institution or Prosecution of any Proceeding in respect of any Offence committed against or any Penalty or Forfeiture incurred under any Act hereby repealed. Repeal of Acts in First Schedule.

Interpretation.

4. In this Act—

The Term " Justice " applies to England only, and means a Justice of the Peace having Jurisdiction in the Place where the Matter requiring the Cognizance of a Justice arises :

The Term " Two Justices " applies to England only, and means Two or more Justices in Petty Sessions, or the Lord Mayor or an Alderman of the City of London, or a Police or Stipendiary Magistrate or other Justice having by Law Authority to act alone for any Purpose with the Powers of Two Justices :

The Term " Magistrate " applies to Scotland only, and includes Sheriff, Sheriff Substitute, Justice of the Peace of a County, Judge in a Police Court, and Provost or Baillie of a City or Burgh :

The Term " Prison Authority " with respect to England has the same Meaning as in The Prisons Act, 1865, and with respect to Scotland means the Administrators of a Prison, as defined by The Prisons (Scotland) Administration Act, 1860 :

The Term " Parish " includes a Place separately maintaining its own Poor.

Industrial Schools.

Description of Industrial Schools and Managers.

5. A School in which Industrial Training is provided, and in which Children are lodged, clothed, and fed, as well as taught, shall exclusively be deemed an Industrial School within the Meaning of this Act.

The Persons for the Time being having the Management or Control of such a School shall be deemed the Managers thereof for the Purposes of this Act.

Inspector.

Inspector of Industrial Schools and Assistant.

6. Such One of Her Majesty's Inspectors of Prisons as One of Her Majesty's Principal Secretaries of State (in this Act referred to as the Secretary of State) from Time to Time thinks fit to appoint to be the Inspector of Reformatory Schools shall be also the Inspector of Industrial Schools.

The Secretary of State may from Time to Time appoint a fit Person to assist the Inspector; and every Person so appointed shall have such of the Powers and Duties of the Inspector of Industrial Schools as the Secretary of State from Time to Time prescribes, but shall act under the Direction of the Inspector.

Certified Industrial Schools.

Mode of certifying Industrial School.

7. The Secretary of State may, on the Application of the Managers of an Industrial School, direct the Inspector of Industrial Schools to examine into the Condition of the School, and its Fitness for the Reception of Children to be sent there under this Act, and to report to him thereon, and the Inspector shall examine and report accordingly.

If satisfied with the Report of the Inspector the Secretary of State may, by Writing under his Hand, certify that the School is fit for the Reception of Children to be sent there under this Act, and thereupon the School shall be deemed a Certified Industrial School.

School not to be certified as Industrial and Reformatory.

8. A School shall not be at the same Time a Certified Industrial School under this Act and a Certified Reformatory School under any other Act.

Gazetting and Proof of Certificate.

9. A Notice of the Grant of each Certificate shall within One Month be inserted by Order of the Secretary of State in the London or in the Edinburgh Gazette, according as the School to which it refers is in England or in Scotland.

A Copy of the Gazette containing the Notice shall be conclusive Evidence of the Grant, which may also be proved by the Certificate itself, or by an Instrument purporting to be a Copy of the Certificate and to be attested as such by the Inspector of Industrial Schools.

Inspection of School.

10. Every Certified Industrial School shall from Time to Time, and at least once in each Year, be inspected by the Inspector of Industrial Schools, or by a Person appointed to assist him as aforesaid.

Alterations, &c. of Buildings to be approved.

11. No Addition or substantial Alteration shall be made to or in the Buildings of any Certified Industrial School, without the Approval in Writing of the Secretary of State.

Contribution by Counties and Boroughs to Establishment and Enlargement of Schools.

12. In England a Prison Authority may from Time to Time contribute such Sums of Money, and on such Conditions as they think fit, towards the Alteration, Enlargement, or rebuilding of a Certified Industrial School,—or towards the Support of the Inmates of such a School,—or towards the Management of such a School,—or towards the Establishment or building of a School intended to be a Certified Industrial School,—or towards the Purchase of Land required either for the Use of an existing Certified Industrial School, or for the Site of a School intended to be a Certified Industrial School; provided,—

First, that not less than Two Months previous Notice of the Intention of the Prison Authority to take into consideration the making of such Contribution, at a Time and Place to be mentioned in such Notice, be given by Advertisement in some One or more public Newspaper or Newspapers circulated within the District of the Prison Authority, and also in the Manner in which Notices relating to Business to be transacted by the Prison Authority are usually given:

Secondly, that where the Council of a Borough is the Prison Authority, the Order for the Contribution be made at a Special Meeting of the Council:

Thirdly, that where the Contribution is for Alteration, Enlargement, rebuilding, Establishment, or building of a School or intended School, or for Purchase of Land, the Approval of the Secretary of State be previously given for that Alteration, Enlargement, rebuilding, Establishment, building, or Purchase.

In Scotland a County Board may contribute to any Certified Industrial School with the Consent and in the Manner provided by The Prisons (Scotland) Administration Act, 1860.

Mode of obtaining Approval of Secretary of State.

13. In order to obtain the Approval of the Secretary of State as aforesaid where required, the Managers of the School, or Promoters of the intended School, shall forward to the Secretary of State Particulars of the proposed Establishment or Purchase, and a Plan of the proposed Alteration, Enlargement, rebuilding or building, drawn on such Scale, and accompanied by such Particulars and Estimate of Cost, as the Secretary of State thinks fit to require; and the Secretary of State may approve of the Particulars and Plan submitted to him, with or without Modification, or may disapprove of the same, and his Approval or Disapproval shall be certified by Writing under his Hand.

Classes of Children to be detained in Certified Industrial Schools.

Children under Fourteen found begging, &c.

14. Any Person may bring before Two Justices or a Magistrate any Child apparently under the Age of Fourteen Years that comes within any of the following Descriptions, namely,—

That is found begging or receiving Alms (whether actually or under the Pretext of selling or offering for Sale any Thing) or being in any Street or public Place for the Purpose of so begging or receiving Alms;

That is found wandering and not having any Home or settled Place of Abode, or proper Guardianship, or visible Means of Subsistence;

That is found destitute, either being an Orphan or having a surviving Parent who is undergoing Penal Servitude or Imprisonment;

That frequents the Company of reputed Thieves.

The Justices or Magistrate before whom a Child is brought as coming within One of those Descriptions, if satisfied on Inquiry of that Fact, and that it is expedient to deal with him under this Act, may order him to be sent to a Certified Industrial School.

Children under Twelve charged with Offences.

15. Where a Child apparently under the Age of Twelve Years is charged before Two Justices or a Magistrate with an Offence punishable by Imprisonment or a less Punishment, but has not been in England convicted of Felony, or in Scotland sentenced to Imprisonment for any Term exceeding Thirty Days, and the Child ought, in the Opinion of the Justices or Magistrate, (regard being had to his Age and to the Circumstances of the Case,) to be dealt with under this Act, the Justices or Magistrate may order him to be sent to a Certified Industrial School.

Refractory Children under Fourteen in Charge of Parent, &c.

16. Where the Parent or Step-parent or Guardian of a Child apparently under the Age of Fourteen Years represents to Two Justices or a Magistrate that he is unable to control the Child, and that he desires that the Child be sent to an Industrial School under this Act, the Justices or Magistrate, if satisfied on Inquiry that it is expedient to deal with the Child under this Act, may order him to be sent to a Certified Industrial School.

Refractory Children under Fourteen in Workhouses, Pauper Schools, &c.

17. Where the Guardians of the Poor of a Union or of a Parish wherein Relief is administered by a Board of Guardians, or the Board of Management of a District Pauper School, or the Parochial Board of a Parish or Combination, represent to Two Justices or a Magistrate that any Child apparently under the Age of Fourteen Years, maintained in a Workhouse or Pauper School of a Union or Parish, or in a District Pauper School, or in the Poorshouse of a Parish or Combination, is refractory, or is the Child of Parents either of whom has been convicted of a Crime or Offence punishable with Penal Servitude or Imprisonment, and that it is desirable that he be sent to an Industrial School under this Act, the Justices or Magistrate may, if satisfied that it is expedient to deal with the Child under this Act, order him to be sent to a Certified Industrial School.

Order of Detention.

Form and Contents of Order sending Child to School.

18. The Order of Justices or a Magistrate sending a Child to a School (in this Act referred to as the Order of Detention in a School) shall be in Writing signed by the Justices or Magistrate, and shall specify the Name of the School.

The School shall be some Certified Industrial School (whether situate within the Jurisdiction of the Justices or Magistrate making the Order or not) the Managers of which are willing to receive the Child; and the Reception of the Child by the Managers of the School shall be deemed to be an Undertaking by them to teach, train, clothe, lodge, and feed him during the whole Period for which he is liable to be detained in the School.

The School named in the Order shall be presumed to be a Certified Industrial School until the contrary is shown.

In determining on the School the Justices or Magistrate shall endeavour to ascertain the Religious Persuasion to which the Child belongs, and shall, if possible, select a School conducted in accordance with such Religious Persuasion, and the Order shall specify such Religious Persuasion.

The Order shall specify the Time for which the Child is to be detained in the School, being such Time as to the Justices or Magistrate seems proper for the teaching and training of the Child, but not in any Case extending beyond the Time when the Child will attain the Age of Sixteen Years.

Temporary Detention in Workhouse, &c.

19. Two Justices or a Magistrate, while Inquiry is being made respecting a Child or respecting a School to which he may be sent, may, by Order signed by them or him, order the Child to be taken to the Workhouse or Poorshouse of the Union, Parish, or Combination in which he is found or resident,—or where (in Scotland) there is no such Poorshouse, or the Poorshouse is at an inconvenient Distance, to such other Place, not being a Prison, as the Magistrate thinks fit, the Occupier whereof is willing to receive him,—and to be detained therein at the Cost of the Union, Parish, or Combination for any Time not exceeding Seven Days, or until an Order is sooner made for his Discharge or for his being sent to a Certified Industrial School; and the Guardians of the Poor for the Union or Parish, or the Keeper of the Poorshouse, or other Person to whom the Order is addressed are and is hereby empowered and required to detain him accordingly.

Power for Parent, &c. to obtain Change of School in certain Cases.

20. If the Parent, Step-parent, Guardian, or nearest adult Relative of a Child sent or about to be sent to a Certified Industrial School, which is not conducted in accordance with the Religious Persuasion to which the Child belongs, states to the Justices or Magistrate by whom the Order of Detention has been or is about to be made (or to Two Justices or a Magistrate having the like Jurisdiction) that he objects to the Child being sent to or detained in the School specified or about to be specified in the Order, and names another Certified Industrial School in Great Britain, which is conducted in accordance with the Religious Persuasion to which the Child belongs, and signifies his Desire that the Child be sent thereto, then and in every such Case the Justices or Magistrate shall comply with the Request of the Applicant, provided,—

First, that the Application be made before the Child has been sent to a Certified Industrial School, or within Fourteen Days after his Arrival at such a School:

Secondly, that the Applicant show to the Satisfaction of the Justices or Magistrate that the Managers of the School named by him are willing to receive the Child.

Provided always, with respect to Scotland, that if any Child who has become chargeable to any Parish, and who is under this Section sent from Scotland to a School out of Scotland, might have been removed from Scotland (under any Act for the Time being in force relating to the Relief of the Poor in Scotland) at the Instance of the Inspector of the Poor of the Parish to which he has become chargeable, had he not been sent out of Scotland under this Section, then and in every such Case the Chargeability on such Parish for such Child shall cease on his being so sent out of Scotland.

Where Order to be for Detention in School of Parochial Board.

21. In Scotland where a Magistrate is about to make or has made an Order for sending a Child to a Certified Industrial School, and the Child is chargeable at the Time to any Parish, or has been so chargeable within Three Months then last past, and there is in that Parish a Certified Industrial School maintained by the Parochial Board thereof, and conducted in accordance with the Religious Persuasion to which the Child belongs, and the Inspector of the Poor of such Parish certifies to the Magistrate (or to a Magistrate having the like Jurisdiction) that he requires the Child to be sent to the Certified Industrial School in such Parish maintained by the Parochial Board thereof, and conducted in accordance with the Religious Persuasion to which the Child belongs, then and in every such Case the Magistrate shall direct the Child to be sent to the last-mentioned School accordingly, the Inspector of the Poor defraying the Expense of conveying the Child thither; provided that where the Order of Detention has been made, the Application of the Inspector to the Magistrate be made within Fourteen Days of the Day of the making of the Order.

Order to be Warrant for Conveyance and Detention.

22. The Order of Detention in a School shall be forwarded to the Managers of the School with the Child, and shall be a sufficient Warrant for the Conveyance of the Child thither, and his Detention there.

Expenses of Conveyance to School.

23. The Expense of conveying to a Certified Industrial School a Child ordered to be sent there shall be defrayed by the Police Authorities by whom he is conveyed, and shall be deemed Part of the current Expenses of those Police Authorities.

Evidence of Order of Detention.

24. An Instrument purporting to be an Order of Detention in a School and to be signed by Two Justices or a Magistrate, or purporting to be a Copy of such an Order and to be certified as such a Copy by the Clerk to the Justices or Magistrate by whom the Order was made, shall be Evidence of the Order.

Management of School.

Religious Instruction in School.

25. A Minister of the Religious Persuasion specified in the Order of Detention as that to which the Child appears to the Justices or Magistrate to belong may visit the Child at the School on such Days and at such Times as are from Time to Time fixed by Regulations made by the Secretary of State, for the Purpose of instructing him in Religion; and, subject and according to the like Regulations, the Child shall be allowed to attend a Place of Worship of that Religious Persuasion (if there is any such Place within a convenient Distance from the School) at least once on each Sunday, under the Care of a Person appointed or approved by the Managers of the School.

Lodging Child out of School.

26. The Managers of a School may permit a Child sent there under this Act to lodge at the Dwelling of his Parent or of any trustworthy and respectable Person, so that the Managers teach, train, clothe, and feed the Child in the School as if he were lodging in the School itself, and so that they report to the Secretary of State, in such Manner as he thinks fit to require, every Instance in which they exercise a Discretion under this Section.

Licence for living out of School.

27. The Managers of a School may, at any Time after the Expiration of Eighteen Months of the Period of Detention allotted to a Child, by Licence under their Hands, permit him to live with any trustworthy and respectable Person named in the Licence, and willing to receive and take charge of him.

Any Licence so granted shall not be in force for more than Three Months, but may at any Time before the Expiration of those Three Months be renewed for a further Period not exceeding Three Months, to commence from the Expiration of the previous Period of Three Months, and so from Time to Time until the Period of the Child's Detention is expired.

Any such Licence may also be revoked at any Time by the Managers of the School by Writing under their Hands; and thereupon the Child to whom the Licence related may be required by them, by Writing under their Hands, to return to the School.

The Time during which a Child is absent from a School in pursuance of a Licence shall be deemed to be Part of the Time of his Detention in the School, and at the Expiration of the Time allowed by the Licence he shall be taken back to the School.

A Child escaping from the Person with whom he is placed under a Licence, or refusing to return to the School on the Revocation of his Licence, or at the Expiration of the Time allowed thereby, shall be deemed to have escaped from the School.

Power to apprentice.

28. The Managers of a School may, at any Time after a Child has been placed out on Licence as aforesaid, if he conducted himself well during his Absence from the School, bind him, with his own Consent, Apprentice to any Trade, Calling, or Service, notwithstanding that his Period of Detention has not expired, and every such Binding shall be valid and effectual to all Intents.

Rules of School to be approved by Secretary of State.

29. The Managers of a Certified Industrial School may from Time to Time make Rules for the Management and Discipline of the School, not being inconsistent with the Provisions of this Act; but those Rules shall not be enforced until they have been approved in Writing by the Secretary of State; and Rules so approved shall not be altered without the like Approval.

A printed Copy of Rules purporting to be the Rules of a School so approved and to be signed by the Inspector of Industrial Schools shall be Evidence of the Rules of the School.

Evidence as to Reception in School, &c.

30. A Certificate purporting to be signed by One of the Managers of a Certified Industrial School or their Secretary, or by the Superintendent or other Person in charge of the School, to the Effect that the Child therein named was duly received into and is at the signing thereof detained in the School, or has been duly discharged or removed therefrom or otherwise disposed of according to Law, shall be Evidence of the Matters therein stated.

Liability to Removal not affected by Stay at School.
9 & 10 Vict. c. 66.
24 & 25 Vict. c. 55.
27 & 28 Vict. c. 105.

31. The Time during which a Child is detained in a School under this Act shall for all Purposes be excluded in the Computation of Time mentioned in Section One of the Act of the Session of the Ninth and Tenth Years of Her Majesty's Reign (Chapter Sixty-six), "to amend the Laws relating to the Removal of the Poor," as amended by any other Act.

Offences at School, &c.

Refusal to conform to Rules.

32. If a Child sent to a Certified Industrial School, and while liable to be detained there, being apparently above Ten Years of Age, and whether lodging in the School itself or not, wilfully neglects or wilfully refuses to conform to the Rules of the School, he shall be guilty of an Offence against this Act, and on summary Conviction thereof before Two Justices or a Magistrate shall be liable to be imprisoned, with or without Hard Labour, for any Term not less than Fourteen Days and not exceeding Three

Months, and the Justices or Magistrate before whom he is convicted may direct him to be sent at the Expiration of the Term of his Imprisonment to a Certified Reformatory School, and to be there detained subject and according to the Provisions of The Reformatory Schools Act, 1866.

29 & 30 Vict. c. .

Escaping from School.

33. If a Child sent to a Certified Industrial School, and while liable to be detained there, and whether lodging in the School itself or not, escapes from the School, or neglects to attend thereat, he shall be guilty of an Offence against this Act, and may at any Time before the Expiration of his Period of Detention be apprehended without Warrant, and may (any other Act to the contrary notwithstanding) be then brought before a Justice or Magistrate having Jurisdiction in the Place or District where he is found, or in the Place or District where the School from which he escaped is situate; and he shall thereupon be liable, on summary Conviction before such a Justice or Magistrate, to be, by and at the Expense of the Managers of the School, brought back to the same School, there to be detained during a Period equal to so much of his Period of Detention as remained unexpired at the Time of his committing the Offence.

If the Child charged with such an Offence is apparently above Ten Years of Age, then, on his summary Conviction of the Offence before Two such Justices or such a Magistrate, he shall be liable, at the Discretion of the Justices or Magistrate, instead of being sent back to the same School, to be imprisoned with or without Hard Labour for any Term not less than Fourteen Days and not exceeding Three Months, and the Justices or Magistrate before whom he is convicted may direct him to be sent at the Expiration of the Term of his Imprisonment to a Certified Reformatory School, and to be there detained subject and according to the Provisions of The Reformatory Schools Act, 1866.

29 & 30 Vict. c. .

Penalty on Persons inducing Offenders to escape from Certified Industrial Schools.

34. If any Person does any of the following Things, (that is to say,)—

First, knowingly assists, directly or indirectly, a Child liable to be detained in a Certified Industrial School to escape from the School;

Second, directly or indirectly induces such a Child so to escape;

Third, knowingly harbours or conceals a Child who has so escaped, or prevents him from returning to School, or knowingly assists in so doing,—

Every such Person shall be guilty of an Offence against this Act, and shall, on summary Conviction thereof before Two

Justices or a Magistrate, be liable to a Penalty not exceeding Twenty Pounds, or, at the Discretion of the Justices, to be imprisoned for any Term not exceeding Two Months, with or without Hard Labour.

Expenses of Children in Schools.

Contribution by Treasury for Children detained.

35. The Commissioners of Her Majesty's Treasury may from Time to Time contribute, out of Money provided by Parliament for the Purpose, such Sums as the Secretary of State from Time to Time thinks fit to recommend, towards the Custody and Maintenance of Children detained in Certified Industrial Schools; provided that such Contributions shall not exceed Two Shillings per Head per Week for Children detained on the Application of their Parents, Step-parents, or Guardians.

Power for Prison Authority to contract for Reception of Children in Schools.

36. In England a Prison Authority may contract with the Managers of a Certified Industrial School for the Reception and Maintenance therein of such Children as are from Time to Time ordered by Justices to be sent there from the District of the Prison Authority.

Power for Guardians of Poor, &c. to contribute.

37. The Guardians of the Poor of a Union or Parish, or the Board of Management of a District Pauper School, or the Parochial Board of a Parish or Combination, may from Time to Time, with the Consent in England of the Poor Law Board, and in Scotland of the Board of Supervision, contribute such Sums as they think fit towards the Maintenance of Children detained in a Certified Industrial School on their Application.

Recovery of Cost of Maintenance in Schools in Scotland, when Parishes, &c. are liable.

38. In Scotland where a Child sent to a Certified Industrial School under this Act is at the Time of his being so sent, or within Three Months then last past has been, chargeable to any Parish, the Parochial Board and Inspector of the Poor of the Parish shall, as long as he continues so chargeable, be liable to repay to the Commissioners of Her Majesty's Treasury all Expenses incurred in maintaining him at School under this Act to an Amount not exceeding Five Shillings per Week, and in default of Payment those Expenses may be recovered by the Inspector of Industrial Schools, or any Agent of the Inspector, in a summary Manner before a Magistrate having Jurisdiction in the Place where the Parish is situate.

Provided always, that nothing in this Act shall prevent any Parochial Board on whose Funds the Cost of Support of any such Child has become a Charge from adopting such Steps for his Removal as may be competent to them under any Act for the Time being in force relating to the Relief of the Poor in Scotland.

Contribution by Parent, &c.

39. The Parent, Step-parent, or other Person for the Time being legally liable to maintain a Child detained in a Certified Industrial School shall, if of sufficient Ability, contribute to his Maintenance and Training therein a Sum not exceeding Five Shillings per Week.

Order for Enforcement of Contribution by Parent, &c.

40. On the Complaint of the Inspector of Industrial Schools, or of any Agent of the Inspector, or of any Constable under the Directions of the Inspector (with which Directions every Constable is hereby required to comply), at any Time during the Detention of a Child in a Certified Industrial School, Two Justices or a Magistrate having Jurisdiction at the Place where the Parent, Step-parent, or other Person liable as aforesaid resides may, on Summons to the Parent, Step-parent, or other Person liable as aforesaid, examine into his Ability to maintain the Child, and may, if they or he think fit, make an Order or Decree on him for the Payment to the Inspector or his Agent of such weekly Sum, not exceeding Five Shillings per Week, as to them or him seems reasonable, during the whole or any Part of the Time for which the Child is liable to be detained in the School.

Every such Order or Decree may specify the Time during which the Payment is to be made, or may direct the Payment to be made until further Order.

In Scotland any such Order or Decree shall be held to be and to have the Effect of an Order or Decree in each and every Week for Payment of the Sum ordered or decreed to be paid for such Week; and under the Warrant for Arrestment therein contained (which the Magistrate is hereby authorized to grant if he sees fit), it shall shall be lawful to arrest weekly for Payment of such weekly Sum as aforesaid the Wages of the Defender due and current, and such Arrestment shall attach not only to the Wages due and payable to the Defender at the Date thereof, but also to the Wages current for the Week or other Term or Period in which such Arrestment is executed, any Law or Statute notwithstanding.

Every such Payment or a proper proportionate Part thereof shall go in relief of the Charges on Her Majesty's Treasury, and the same shall be accounted for as the Commissioners of Her Majesty's Treasury direct, and where the Amount of the Payment ordered in respect of any Child exceeds the Amount contributed by the Commissioners of Her Majesty's Treasury in respect of that Child, the Balance shall be accounted for and paid to the Managers of the School.

The Secretary of State may, in his Discretion, remit wholly or partially any Payment so ordered.

Two Justices or a Magistrate may from Time to Time vary any such Order as Circumstances require, on the Application either of the Person on whom such Order is made, or of the Inspector of

Industrial Schools, or his Agent, on Fourteen Days Notice being first given of such Application to the Inspector or Agent, or to the Person on whom the Order is made, respectively.

Discharge, &c. of Children from School.

Detention to cease on Child attaining Sixteen.

41. A Person who has attained the Age of Sixteen Years shall not be detained in a Certified Industrial School, except with his own Consent in Writing.

Transfer to another School by Secretary of State.

42. The Secretary of State may at any Time order a Child to be transferred from one Certified Industrial School to another, but so that the whole Period of his Detention be not thereby increased.

The Secretary of State may also at any Time order a Child being under Sentence of Detention in an Industrial School established under any other Act of Parliament, the General Rules for the Government whereof have been approved by the Secretary of State, to be transferred to a Certified Industrial School under this Act; and in that Case the Child shall after the Transfer be deemed to be subject in all respects to the Provisions of this Act, but so that the whole Period of his Detention be not by such Transfer increased.

The Commissioners of Her Majesty's Treasury may pay, out of Money provided by Parliament for the Purpose, such Sum as the Secretary of State thinks fit to recommend, in discharge of the Expenses of the Removal of any Child transferred under the Provisions of this Act.

Discharge by Secretary of State.

43. The Secretary of State may at any Time order any Child to be discharged from a Certified Industrial School or from any Industrial School established under any other Act of Parliament, the General Rules for the Government whereof have been approved by the Secretary of State, either absolutely or on such Condition as the Secretary of State approves, and the Child shall be discharged accordingly.

Withdrawal, &c. of Certificate of School.

Power for Secretary of State to withdraw Certificate.

44. The Secretary of State, if dissatisfied with the Condition of a Certified Industrial School, may at any Time, by Notice under his Hand addressed to and served on the Managers thereof, declare that the Certificate of the School is withdrawn as from a Time specified in the Notice, not being less than Six Months after the Date thereof; and at that Time the Certificate shall be deemed to be withdrawn accordingly, and the School shall thereupon cease to be a Certified Industrial School.

Resignation of Certificate by Managers.

45. The Managers or the Executors or Administrators of a deceased Manager (if only One) of a Certified Industrial School may give Notice in Writing to the Secretary of State of their Intention to resign the Certificate of that School, and at the Expiration in the Case of Managers of Six Months, and in the Case of Executors or Administrators of One Month, from the Receipt of that Notice by the Secretary of State (unless before that Time the Notice is withdrawn) the Certificate shall be deemed to be resigned accordingly, and the School shall thereupon cease to be a Certified Industrial School.

Gazetting and Evidence of Withdrawal, &c.

46. A Notice of the Withdrawal or Resignation of the Certificate of a Certified Industrial School shall within One Month be inserted by Order of the Secretary of State in the London or in the Edinburgh Gazette, according as the School is in England or Scotland.

A Copy of the Gazette containing such Notice shall be conclusive Evidence of such Withdrawal or Resignation.

A Certificate shall be presumed to be in force until the Withdrawal or Resignation thereof is proved.

Cesser of Reception of Children on Notice, &c.

47. Where Notice is given of the Withdrawal or Resignation of the Certificate of a Certified Industrial School no Child shall be received into the School for Detention under this Act after the Receipt by the Managers of the School of the Notice of Withdrawal, or after the Date of the Notice of Resignation, as the Case may be; but the Obligation of the Managers to teach, train, clothe, lodge, and feed any Children detained in the School at the Time of such Receipt or at the Date of such Notice shall, except as far as the Secretary of State otherwise directs, be deemed to continue until the Withdrawal or Resignation of the Certificate takes effect, or until the Contribution out of Money provided by Parliament towards the Custody and Maintenance of the Children detained in the School is discontinued.

Discharge of Children detained, &c.

48. Where a School ceases to be a Certified Industrial School the Children detained therein shall be either discharged or transferred to some other Certified Industrial School by Order of the Secretary of State.

Houses of Refuge, &c. in Scotland.

In Scotland, Power for Industrial Schools under Local Acts, &c. to receive Children.

49. Where in any City, Town, or Place in Scotland there has been erected, under Local Act of Parliament or otherwise, any House of Refuge for destitute Children or any Industrial School, or other similar Institution, the Commissioners, Directors, or Managers thereof may receive and maintain therein, if willing to do so, all such Children as are sent thereto under this Act, and may pay such Portion of the Fund under their Control as they think proper for the training, Maintenance, and Disposal of such Children; provided that such House of Refuge, School, or Institution is certified as an

Industrial School under this Act, and the Rules thereof and all Alterations thereof from Time to Time are approved by the Secretary of State.

Expenses of Prison Authorities, &c.

Expenses of Prison Authorities and County Boards how defrayed.

50. Expenses incurred by a Prison Authority in England in carrying into effect the Provisions of this Act shall be deemed Expenses incurred by that Authority in carrying into effect the Provisions of The Prison Act, 1865, and shall be defrayed accordingly.

Expenses incurred by a County Board in Scotland in carrying into effect the Provisions of this Act shall be a Charge on the Assessment for current Expenses incurred by that Board in carrying into effect the Provisions of The Prisons (Scotland) Administration Act, 1860.

Miscellaneous.

Acts regulating Procedure.

51. The following Acts—

In England, the Act of the Session of the Eleventh and Twelfth Years of Her Majesty's Reign (Chapter Forty-three), "to "facilitate the Performance of the Duties of Justices of the "Peace out of Sessions, within England and Wales, with "respect to summary Convictions and Orders," and any Acts amending the same;

In Scotland, The Summary Procedure Act, 1864,—

Shall apply to all Offences, Payments, and Orders in respect of which Jurisdiction is given to Justices or a Magistrate by this Act, or which are by this Act directed to be prosecuted, enforced, or made in a summary Manner or on summary Conviction.

Use of Forms in Schedule.

52. No Summons, Notice, or Order made for the Purpose of carrying into effect the Provisions of this Act shall be invalidated for Want of Form only; and the Forms in the Schedule to this Act annexed, or Forms to the like Effect, may be used in the Cases to which they refer, with such Variations as Circumstances require, and when used shall be deemed sufficient.

Service of Notices on Managers.

53. Any Notice may be served on the Managers of a Certified Industrial School by being delivered to any One of them personally, or by being sent by Post or otherwise in a Letter addressed to them or any of them at the School, or at the usual or last known Place of Abode of any of the Managers, or of their Secretary.

Application of Act to existing Certified Schools.

54. This Act shall apply to all Certified Industrial Schools being such at the passing of this Act, and to all Children sent thereto before the passing of this Act, but no Child shall be detained at any Industrial School, in pursuance of any Order made before the passing of this Act, for a longer Period than he would have been liable to be detained if this Act had not been passed.

The FIRST SCHEDULE.

Acts repealed.

24 & 25 Vict. c. 113.	The Industrial Schools Act, 1861.
24 & 25 Vict. c. 132.	The Industrial Schools (Scotland) Act, 1861.
25 & 26 Vict. c. 10.	An Act for continuing for a further limited Time, and for extending the Operation of Orders made under the Industrial Schools Act, 1861, and The Industrial Schools (Scotland) Act, 1861.

The SECOND SCHEDULE.

FORMS.

(A.)

Order sending Child to Industrial School.

to wit. } Be it remembered, That on the Day of in pursuance of The Industrial Schools Act, 1866, we, Two of Her Majesty's Justices of the Peace for the said [*County*] of , do order that *A.B.* of , being a Child subject to the Provisions of Section of the said Act, be sent to the Certified Industrial School at , and that he be detained there during ; and we declare that the Religious Persuasion to which the said *A.B.* belongs is .

(Signed) *L.M.*
N.O.

(B.)

Order in Scotland on Parent, for Payment towards Maintenance of Child.

The Sheriff [*or as the Case may be*] having considered the Complaint of *E.F.*, the Inspector of Industrial Schools, made under The Industrial Schools Act, 1866, and having heard Parties thereon [*or,* in absence of *C.D., designing him,* duly cited, but not appearing], pursuant to the said Act, decerns *C.D.* complained on, weekly and every Week from the Day of to pay to the said *E.F.*, or to his Agent from Time to Time authorized to receive the same, the Sum of Shillings for the Maintenance and Training of *A.B.*, Son [*or as the Case may be*] of the said *C.D.*, now detained in the Certified Industrial School of under an Order by of Date until the said Child attains the Age of Sixteen Years or is lawfully discharged from the said School, and grants Warrant of Arrestment to be executed by any Constable or Messenger at Arms.

Given under my Hand this Day of at in the County aforesaid.

[*Magistrate's Signature.*]

Industrial Schools.

A

B I L L

[AS AMENDED IN COMMITTEE]

To consolidate and amend the Acts relating to Industrial Schools in Great Britain.

(*Prepared and brought in by*
Mr. Knatchbull-Hugessen and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
11 *June* 1866.

[Bill 185.]

Under 3 oz.

A

B I L L

TO

Amend the Laws relating to the Inland Revenue.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Drawback on solidified Worts exported to Foreign Parts.

1. Whereas a Drawback of Excise is payable by Law in respect of Beer brewed or made by any entered and licensed Brewer of Beer for Sale in the United Kingdom, and exported as Merchandise from any Port in the United Kingdom to Foreign Parts, and it is expedient to grant a Drawback of Excise in respect of Worts made and solidified by any such Brewer as aforesaid, and exported as aforesaid: Be it enacted, That there shall be paid and allowed in respect of Worts made by any entered and licensed Brewer of Beer for Sale in the United Kingdom from Malt or Sugar, or Malt and Sugar, on which the full Duties of Excise and Customs respectively have been charged or paid, and solidified, and exported as Merchandise from any Port in the United Kingdom to Foreign Parts, a Drawback at the Rate of the Duty payable on One Bushel of Malt, with the Addition of the Sum of Three Halfpence for every *Twenty-eight Pounds Avoirdupois* of such Wort made and solidified as aforesaid, which shall be manufactured, prepared, and exported in conformity with the Provisions of this Act.

The Manufacture and Exportation of solidified Worts to be under such Regulations as the Commissioners of Inland Revenue may make, and under Conditions specified in this Clause.

2. The Manufacture, Preparation, Packing, and Exportation of such Wort shall be under and subject to such Rules, Regulations, and Securities (by Bond or otherwise) as the Commissioners of Inland Revenue may from Time to Time make and require respectively in that Behalf, and under and subject also to the following Conditions; (that is to say,)

1. The Wort shall not be evaporated until it has been boiled with Hops in the Proportion of at least One Pound Weight Avoirdupois of Hops to every Bushel of Malt, or *Twenty-five Pounds Weight Avoirdupois* of Sugar used in making such Wort:
2. The solidified Wort shall be of such Density that when dissolved in Water in the Proportion of Twenty-eight Pounds Weight Avoirdupois of such Wort to *Thirty-four Gallons and One Tenth Part of a Gallon* of Water it shall produce Thirty-six Gallons of liquid Wort of a Specific Gravity not less than 1·027 Degrees, such Specific Gravity to be ascertained in the Manner directed by the Seventy-second Section of the Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, Chapter One hundred and fourteen, or by means of the Weighing Bottle, as the said Commissioners shall direct:
3. Solidified Wort shall be packed only between the Hours of *Six o' Clock* in the Morning and *Six o' Clock* in the Afternoon, and in the Presence of the proper Officer of Excise, and in such Cases or Packages as shall be approved by the said Commissioners, and such Cases or Packages shall be fastened and secured to the Satisfaction of such Officer:
4. The Brewer shall give *Twenty-four Hours* Notice of his Intention to export solidified Wort to the Officer of Excise in whose Survey his Brewery shall be situated, stating the Quantity of such Wort intended to be exported, the particular Day and Hour at which the same is to be packed, and the Name of the Port from which it is to be exported:
5. The Brewer shall provide just and sufficient Scales and Weights properly adapted for the weighing of solidified Wort, and shall allow any Officer of Excise to use the same, and shall provide such Officer with proper and sufficient Assistance to enable him to weigh such Wort.

Solidified Wort not to contain any-

3. If any solidified Wort, packed or produced for Exportation, shall have mixed therewith any Substance, Material, or Thing other than such as shall be produced by the Process of mashing from Malt, or from such Descriptions of Sugar as may lawfully be employed in the brewing of Beer, the Brewer shall, over and above any other Penalty to which he may be subject, forfeit the Sum of *Two hundred Pounds,* and all such Wort, and the Packages in which the same may be contained, together with any Drawback claimed thereon, shall be forfeited.

thing that shall not be produced by the mashing of Malt and Sugar.

4. The Drawback or Allowance upon solidified Wort exported under the Provisions of this Act shall be paid by the Commissioners of Inland Revenue, and the Provisions of all Acts in force relating to the Exportation of any exciseable Commodities on Drawback, and all Fines, Forfeitures, Pains, and Penalties imposed by the said Acts, shall (except as altered by this Act) extend to and shall be respectively applied, practised, and put in execution for and in respect of the said Drawback or Allowance upon solidified Wort hereby granted upon the Exportation thereof, in as full and ample a Manner to all Intents and Purposes as if the said several Provisions, Fines, Forfeitures, Pains, and Penalties, were enacted and imposed in and by this Act.

Provisions of former Acts relating to the Exportation of exciseable Commodities to apply to the Exportation of solidified Wort.

5. So much of the Condition numbered "One" in the Twenty-eighth Section of the Act of the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and thirteen, as provides that Malt to be exported on Drawback shall not be blown or roasted, is hereby repealed, and the Thirteenth Section of the Act of the Twenty-eighth and Twenty-ninth Years of Her Majesty's Reign, Chapter Sixty-six, save so far as respects the Repeal therein contained, is also hereby repealed; and the Amount of Drawback allowed by Law upon the Exportation of Malt shall be calculated in the following Manner; (that is to say,) when the Malt shall weigh less than *Forty Pounds Avoirdupois* per Bushel, a Drawback at the Rate of the Duty payable on *One Bushel* of Malt shall be allowed and paid in respect of every *Forty Pounds Avoirdupois* of the Malt exported; and when the Malt shall weigh *Forty Pounds Avoirdupois* or upwards per Bushel, Drawback shall be allowed and paid according to the Quantity ascertained by Measure, subject, however, in either Case, to the Deduction of Seven and a Half per Centum upon the Quantity ascertained as directed by the Thirtieth Section of the said Act of the Twenty-third and Twenty-fourth Years of Her Majesty's Reign.

Repeal of Enactment prohibiting Exportation of blown and roasted Malt, and of Section 13. of 28 & 29 Vict. c. 66. and other Provisions made.

6. Roasted Malt shall be exported on Drawback by a licensed Roaster of Malt, or by a licensed Dealer in roasted Malt, and by no other Person, and from the entered Premises of such Roaster or

Roasted Malt to be exported only by Roasters and

Dealers in roasted Malt, and under same Regulations as other Malt.

Dealer; and all the Provisions, Fines, Forfeitures, Pains, and Penalties contained in or incorporated by so much of Sections Twenty-seven, Twenty-eight, Twenty-nine, Thirty, Thirty-one, Thirty-two, and Thirty-three of the said Act of the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and thirteen, as is now in force, and not repealed by this Act, in relation to the Exportation of Malt from a Malthouse, or to any Act, Neglect, or Omission of a Maltster, shall, so far as the same shall be applicable, extend and apply to the Exportation of roasted Malt, and to any Act, Neglect, or Omission of a Roaster of Malt or Dealer in roasted Malt.

Commissioners of Inland Revenue may authorize the use in Distilleries of Vessels, &c. in addition to those prescribed by Law.

7. It shall be lawful for the Commissioners of Inland Revenue to permit a licensed Distiller, Rectifier, or Compounder to fix and use in his Distillery or Premises, subject to such Regulations as they think fit, any Vessel, Utensil, Cock, Plug, Pump, Pipe, or Fastening which shall be approved of by them, in addition to or in lieu of any Vessel, Utensil, Cock, Plug, Pump, Pipe, or Fastening prescribed and required by the Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter One hundred and fourteen, and also for the said Commissioners to withdraw such Permission whenever they shall think proper to do so; and every such Vessel, Utensil, Cock, Plug, Pump, Pipe, or Fastening shall, so long as the same shall be used with the Permission of the said Commissioners, but no longer, be deemed to be a Vessel, Utensil, Cock, Plug, Pump, Pipe, or Fastening prescribed and required by the said Act; and all the Provisions, Penalties, and Forfeitures contained in or imposed by the said Act, or any other Act in force relating to any Vessel, Utensil, Cock, Plug, Pump, Pipe, or Fastening used by or on the Premises of a Distiller, Rectifier, or Compounder, shall, so far as the same shall be applicable, extend and apply to every Vessel, Utensil, Cock, Plug, Pump, Pipe, or Fastening permitted to be fixed and used under the Authority of this Act.

Methylated Spirit not to be used for Beverage or Medicine.

8. No Person shall use Methylated Spirit or any Derivative thereof in the Manufacture, Composition, or Preparation of any Article whatsoever capable of being used either wholly or partially as a Beverage or internally as a Medicine; and if any Person shall use Methylated Spirit or any Derivative thereof in the Manufacture, Composition, or Preparation of any Article as aforesaid, or shall sell or have in his Possession any such Article in the Manufacture, Composition, or Preparation whereof any Methylated Spirit, or any Derivative thereof, shall have been used, he shall forfeit the Sum of One hundred Pounds, and such Article shall be forfeited, together with the Vessels or Packages containing the same: Provided always, that nothing herein-contained shall apply to the Use of Methylated Spirit, or any Derivative thereof, in the Manufacture, Composition, or Preparation of Sulphuric Ether or Chloroform, or prevent the Sale or Possession of any Sulphuric Ether or Chloroform.

No Alteration to be made in "Finish" made from Methylated Spirit.

9. If any Person shall, after any Methylated Spirit shall have been mixed with Gum Resin for forming the Mixture known as "Finish," or any like Mixture, separate the Gum Resin from the said Methylated Spirit, or alter the said Mixture in any Manner except by adding thereto a further Quantity of Gum Resin, he shall forfeit the Sum of *Two hundred Pounds,* and the said Spirit and Mixture respectively so separated or altered as aforesaid shall be forfeited, together with the Vessels or other Packages containing the same.

Penalty on the Driver of a Hackney Carriage not licensed to be used on Sundays using the same on a Sunday.

10. If any Carriage, having fixed or placed thereon a numbered Plate provided by the Commissioners of Inland Revenue for a Hackney Carriage not authorized by Licence to be used on Sundays, shall be used on any Sunday for the Purpose of standing or plying for Hire as a Hackney Carriage within the Metropolitan Police District or the City of London, such Carriage shall be deemed to be a Carriage not having the proper Stamp Office Plate fixed thereon, and the Driver of such Carriage or other Person plying for Hire therewith, or having the Care thereof, shall forfeit *Five Pounds,* and if such Driver or other Person shall be the Proprietor or Owner of such Carriage he shall forfeit *Ten Pounds;* and such Proceedings as are prescribed in the Twenty-third Section of the Act of the First and Second William the Fourth, Chapter Twenty-two, shall be had and taken against such Driver or other Person for the Recovery of the said Penalties respectively, and the same Directions shall be observed with respect to such Carriage, and the Horse or Horses harnessed thereto or drawing the same, and the Harness used therewith, and generally as are given and contained in the said Section with respect to the Carriage, Horse or Horses, and Harness therein mentioned, and otherwise.

Penalty on Persons hawking Goods without Licence in the United Kingdom.

11. Whereas it is expedient to impose an uniform Penalty throughout the United Kingdom upon Persons hawking Goods without Licence: Be it enacted, That if any Person shall, in the United Kingdom, trade or do any other Act for which such Person is required by the Acts in force in Great Britain and Ireland respectively to be licensed as a Hawker, Pedlar, or Petty Chapman, without having a proper Licence in that Behalf, or if any Person who shall trade or do any such other Act as aforesaid shall neglect or refuse to produce to any Person who shall demand the same a proper Licence granted to him as a Hawker, Pedlar, or Petty Chapman, and then in force, he shall forfeit the Penalty of *Twenty Pounds,* which shall be an Excise Penalty, and be over and above any other Penalty to which such Person may be liable to under any Act now in force; and it shall be lawful for any Person to seize and detain the Offender, and to deliver him to any Officer of Excise, or to any Constable or Police Officer, who is hereby required to take such Offender before a Justice of the Peace for the County or Place wherein the Offence shall have been committed, and such Justice shall, on the Confession of the Party, or upon due Proof on Oath made of the Offence, convict such Offender in the Penalty aforesaid, or in some mitigated Amount not less than *One Fourth Part* thereof; and if the Penalty imposed be not immediately paid the Justice shall, by Warrant under his Hand, commit the Offender to Hard Labour in the House of Correction for the said County or Place for the Space of *One Calendar Month* (to be reckoned from the Day of the Commitment), unless the Penalty shall be sooner paid: Provided always, that where the Person offending shall not be detained and proceeded against in the Manner herein directed the said Penalty of *Twenty Pounds* may be recovered by Information in the same Manner as any other Excise Penalty.

Repeal of Sect. 7. of 50 G. 3. c. 41. prohibiting Hawkers from selling Goods by Auction.

12. Whereas by the Seventh Section of an Act passed in the Fifteenth Year of the Reign of King George the Third, Chapter Forty-one, Hawkers, Pedlars, Petty Chapmen, and other trading Persons therein mentioned are prohibited from selling Goods, Wares, or Merchandise by any Mode of Sale by Auction at any Place in which they are not Householders, or which is not an usual Place of their Abode, and it is expedient to remove such Restriction: Be it enacted, That the said Prohibition shall be and the same is hereby repealed, so far as regards the selling by Auction by any trading or other Person duly licensed as an Auctioneer.

As to Drawback on Exportation of Plate from the United Kingdom.

13. The Drawback now payable on Gold Plate and Silver Plate of British Manufacture exported from Great Britain, or of Irish Manufacture exported from Ireland, shall, in like Manner and upon the same Terms and Conditions, be paid on Gold Plate and Silver Plate of British Manufacture exported from Ireland or of Irish Manufacture exported from England; and the Bond or Security required by Law to be given by the Exporter of any such Plate from Great Britain or Ireland shall contain a Condition that the Plate so exported shall not be relanded or brought again into any Part of the United Kingdom.

14. Whereas

Preamble reciting 20 & 21 Vict. cc. 77, 79.

Letters of Attorney and Proxies filed in the Probate Courts declared exempt from Stamp Duty.

14. Whereas by the Acts of Parliament establishing the Courts of Probate in England and Ireland respectively the Jurisdiction and Authority of all Ecclesiastical Courts in Matters and Causes Testamentary were vested in Her Majesty, to be exercised in Her Name in the said Courts of Probate: And whereas before and at the Time appointed for the Commencement of the said Acts respectively all Letters or Powers of Attorney and Proxies filed in any Ecclesiastical Court in England or Ireland were by Law exempt from Stamp Duty: And whereas Doubts have arisen whether the said Exemption from Stamp Duty extends to Letters or Powers of Attorney or Proxies filed in the said Courts of Probate: Be it enacted and declared, That all Letters or Powers of Attorney and Proxies filed or to be filed in the said Courts of Probate respectively shall be deemed to have been and to be exempt from all Stamp Duty.

After Assessments allowed Surveyor to certify Increases thereto.

15. If after the Commissioners executing the Acts relating to the Duties of Assessed Taxes have signed and allowed any Assessments of the said Duties for any Year, the Surveyor or Inspector shall discover upon his Survey or Examination, or otherwise, that any Assessment is not such as to charge or to fully charge any House, Person, Article, Matter, or Thing with the Duty which ought to be charged in respect thereof under the said Acts, it shall be lawful for the said Surveyor or Inspector at any Time within the Year to which the Assessment relates to charge in respect of such House, Person, Article, Matter, or Thing the full Amount of single Duty by which the Assessment ought to be increased; and such Charge shall be certified, determined, and recovered in the Manner provided by the said Acts in relation to Surcharges.

A Penalty for Neglect in delivering List or Declaration may be imposed by Commissioners.

16. If any Person who, under the Provisions of the Acts relating to the Duties of Assessed Taxes, ought to deliver any List or Declaration, shall refuse or neglect so to do within the Time limited by any general or particular Notice affixed or delivered in pursuance of the said Acts, or shall under any Pretence wilfully delay the Delivery thereof, and if Information thereof shall be given and Proceedings thereupon shall be had before the Commissioners for executing the said Acts, such Person shall forfeit any Sum not exceeding *Twenty Pounds*, and treble the Duty at which he ought to be charged by virtue of the said Acts, such Penalty and Duties to be recovered as any like Penalty and Duties are recoverable under the said Acts.

Inland Revenue.

A

B I L L

To amend the Laws relating to the
Inland Revenue.

(Prepared and brought in by
Mr. Hunt, Mr. Gladstone, and Mr. Childers.)

Ordered, by The House of Commons, *to be Printed,*
6 *July* 1866.

[Bill 209.]

Under 1 *oz.*

A

BILL

TO

Enable the Benchers of the Inns of Court to appoint Judicial Committees in certain Cases, and to give the necessary Powers to such Committees.

WHEREAS it is desirable to extend and regulate the Jurisdiction exercised by the Benchers of the Four Inns of Court in England in certain Cases: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. That whenever any Charge or Complaint connected with or affecting the Practice, the Duties, or the Honour of the Legal Profession shall be made against any Barrister or other Member of their Inn to the Benchers of any Inn of Court in England of which he is a Member, and also whenever the Benchers of any of the Four Inns of Court shall deem it necessary or expedient, with a view to the Exercise of their Powers and Functions, to inquire into the Conduct of any Barrister or other Member of their Inn, in every such Case it shall be lawful for such Benchers, if they shall think fit, to elect from their own Body a Judicial Committee,

Benchers empowered to elect Judicial Committees in Cases of Charges against Barristers, or Inquiries into the Conduct of any Member of their Inn, &c.

Committee, consisting of not less than *Five* nor more than *Eleven* Benchers, to hear and determine such Charge or Complaint or such Matter of Inquiry.

Any such Judicial Committee may proceed in the Case with a Quorum of not less than *Five* Members: Provided that no Decision shall be made unless a Majority of Members present throughout the Hearing concur therein, such Majority not being less than Three.

Power to Judicial Committees to hear and determine Cases, and to disbar or suspend Barristers, or expel any Member of the Inn.

2. It shall be lawful for any such Judicial Committees elected as aforesaid and they are hereby required in every such Case to hear and determine every such Charge or Complaint, or such Matter of Inquiry; and such Judicial Committee shall have the Power to disbar any Barrister, and to expel from the Inn any Barrister or other Member of the Inn whom such Committee shall find deserving such Punishment, and to suspend any such Barrister or other Member of the Inn from Practice for any Time that they shall think proper, and to pass any other Sentence which it would have been competent to the Benchers of the Inn to have passed.

No Barrister to be disbarred or suspended except by Decision of a Judicial Committee.

3. No Barrister shall be disbarred or suspended from Practice, and no Barrister or other Member of any Inn shall be expelled from such Inn, except by Decision of a Judicial Committee elected under the Provisions of this Act.

Appeal to the Judges.

4. An Appeal shall lie from such Judicial Committee to the Judges of the Superior Courts of Common Law, that is to say, the Courts of Queen's Bench, Common Pleas, and Exchequer, in the same Cases in which there would have been such Appeal if the Decision of the Judicial Committee had been a Decision of the Benchers of the Inn, such Appeal to be heard and determined upon the Evidence taken before the Judicial Committee.

Power for Judges to frame, alter, and amend Rules for Election of Judicial Committees, and for Procedure.

5. It shall be lawful for the Benchers of each of the Inns of Court, if they shall think fit, from Time to Time to frame, alter, and amend Rules and Regulations concerning the Election or Appointment of a Member of each of its Judicial Committees to be President or Chairman thereof, and concerning his Functions and Powers, and concerning the Proceedings and Powers of such Committees (including their Powers and Discretion in the Admission or Rejection of Evidence), and concerning the Proceedings of the Parties and others appearing before such Committees, and concerning the Forms of any Orders, Writs, and other Proceedings which the Benchers may think fit to be used, and for regulating the Time within which Appeals may be brought; all which Rules and Regulations are to be subject to the Approval and Allowance of the Judges of the said Superior Courts of Common Law, or any *Five* of them.

Committees and Judges to sit in open Court, unless Parties shall consent to private Hearing.

6. Such Judicial Committees as aforesaid and the Judges hearing any Appeal therefrom, shall sit in open Court, if the Person against whom the Charge or Complaint is made or whose Conduct is the Subject of Inquiry shall require the same, but they may deliberate in private, and the Judgments of such Judicial Committees and of the Judges on Appeal respectively shall be in Writing.

Committees to have Powers of Courts of Record.

7. The said Judicial Committees shall have all the Powers of compelling the Attendance of Parties and Witnesses, and the Production of Papers and Documents, and of punishing for Contempts, and all other the Powers which by Law belong to the High Court of Chancery or Court of Queen's Bench, and also the Power of administering an Oath or Affirmation, as the Case may be, to any Witness or Party appearing before them; and any Person guilty of Contempt of the said Judicial Committee shall, upon Certificate thereof signed by the President or Chairman, be punishable by the Court of Queen's Bench in the same Manner and by the same Process, and be otherwise dealt with, as if he had been guilty of Contempt of that Court.

Defining the Powers of the Treasurer or of the President of a Committee, and Penalties for Resistance.

8. For the better Exercise of the Powers hereby given, it shall be lawful for the Treasurer of each of the said Inns of Court, or for any Person elected or appointed to be President or Chairman of any such Committee as aforesaid, to authorize or appoint any Person or Persons to administer an Oath or Affirmation for the Purposes of this Act, and also to authorize and appoint any Person or Persons to receive and take Affidavits or Depositions for the Purposes of this Act, and also to require the Attendance of any Witnesses, and the Production of any Papers or Documents, by Writ to be issued by him in such and the same Form (as nearly as may be) as a Writ of Subpœna ad testificandum or of Subpœna duces tecum is now issued by Her Majesty's Court of Queen's Bench; and any Person disobeying any such Writ so to be issued shall be considered as in Contempt of the Judicial Committee for the Purposes of which the same shall have been issued, and shall be subject to such and the same Pains and Penalties as if such Writ had issued out of the said Court of Queen's Bench, and may be proceeded against accordingly in the said Court as for a Contempt of that Court.

Persons giving false Evidence to be guilty of Perjury.

9. Any Person examined before any such Judicial Committee who shall wilfully give false Evidence shall be guilty of Perjury.

Inns of Court

A

BILL

To enable the Benchers of the Inns of Court to appoint Judicial Committees in certain Cases, and to give the necessary Powers to such Committees.

(*Prepared and brought in by*
Sir George Bowyer and Mr. Denman.)

Ordered, by The House of Commons, *to be Printed,*
21 *March* 1866.

[Bill 83.]

Under 1 *oz.*

A

BILL

TO

Make Provision for the Government of Jamaica.

Preamble.

Colonial Acts.

WHEREAS Two Acts were passed by the Legislature of Jamaica during a Session held in this present Year of Her Majesty, intituled, respectively, "An Act to alter and "amend the Political Constitution of this Island," "An Act to "amend an Act passed in the present Session, intituled 'An Act "to alter and amend the Political Constitution of this Island,'" and it is expedient that the said Acts should be brought into operation, under Authority of Parliament, in the Manner and to the Extent herein-after set forth: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Colonial Acts to take effect.

1. So much of said recited Acts as is contained in the accompanying Schedule shall come into operation in the Island of Jamaica so soon as the Assent thereto of Her Majesty in Council shall have been proclaimed in the said Island by the Officer administering the Government thereof, and, unless continued by Authority of Parliament, shall cease to be in force at the Expiration of *Three Years* from the Date of such Proclamation.

"Government" to include Legislature.

Powers how to be exercised by Her Majesty.

2. In construing the said secondly-recited Act the Term "Government" shall be held to include "Legislature;" and the Powers exerciseable by Her Majesty under the said Act shall be exerciseable by Her Majesty in Council.

SCHEDULE.

An Act to alter and amend the Political Constitution of this Island.

Whereas it is necessary to alter the present Political Constitution of this Island: Be it enacted by the Governor, Legislative Council, and Assembly of this Island, and it is hereby enacted by the Authority of the same,

First, that from and after the coming into operation of this Act the present Legislative Council and House of Assembly, and all and every the Functions and Privileges of those Two Bodies respectively, shall cease and determine absolutely.

An Act to amend an Act passed in the present Session, entitled "An Act to alter and amend the Political Constitution of "this Island."

Whereas an Act was passed by the Legislature of this Island during this present Session, entitled "An Act to alter and amend "the Political Constitution of this Island:" And whereas it is desirable that the same should be amended: Be it therefore enacted by the Governor, Legislative Council, and Assembly of this Island, and it is hereby enacted by the Authority of the same,

In place of the Legislature abolished by the First Section of the recited Act it shall be lawful for Her Majesty the Queen to create and constitute a Government for this Island in such Form and with such Powers as to Her Majesty may best seem fitting, and from Time to Time to alter or amend such Government.

Jamaica Government.

A

B I L L

To make Provision for the Government
of Jamaica.

(Prepared and brought in by
Mr. Secretary Cardwell and Mr. William
Edward Foster.)

Ordered, by The House of Commons, *to be Printed,*
15 *February* 1866.

[Bill 17.]

Under 1 *oz.*

A

BILL

TO

Codify and amend the Law in relation to the Keeping together and Discharge of Juries on the Trial of Criminal Cases.

WHEREAS it is expedient to codify and amend the Law in relation to the Keeping together and Discharge of Juries on the Trial of Criminal Cases: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to the Keeping together of Juries.

A Jury shall not separate without Leave, but such separation shall not invalidate Verdict.

1. A Jury shall not, after the Accused has been given in charge to them, and before Verdict, separate without the Leave of the Judge, but no Objection shall be taken to a Verdict on the Ground that before Verdict the Jury had separated without such Leave.

When a Trial lasts more than a day the Judge may either keep together the

2. In case a Trial shall last more than One Day, the Judge may allow the Jury to separate, or may keep them together, at his Discretion, and if kept together he may, at his Discretion, direct the

Jury, or allow them to separate, and if kept together he may keep them at an Hotel, or in the Court House, and he may send a County Jury to an Hotel in a City adjoining.

the Sheriff to keep them together in the Court House where the Trial is being held, or at some Hotel convenient thereto; and on a Trial with a County Jury, where a County Court House is situated in a County of a City, he may direct the County Jury to be removed to and kept in an Hotel in the County of the City, if he shall so think fit; and for the Purpose of removing and keeping together the Jury the County Sheriff shall have and exercise in the County of the City all the Power and Authority vested in him for keeping together a Jury in his own Bailiwick.

A Jury may be ordered Refreshment after they have retired to consider their Verdict.

3. After a Jury has retired to consider their Verdict, it shall be lawful for the Judge, if he shall so think fit, to order the Jury to be supplied with reasonable Food and Refreshment, and the Sheriff shall provide the same accordingly.

As to the Discharge of Juries.

A Jury once sworn shall not be discharged, except in certain Cases.

4. A Jury shall not be discharged after a Party accused has been given to them in charge, except in the Cases herein-after mentioned.

A Judge may discharge a Jury for separating without Leave, or in consequence of the Illness of a Juror or a Witness or the Accused.

5. The Judge at his Discretion may discharge a Jury, if the Jury shall separate without Leave and if he shall deem it right for the Interest of Justice to order such Discharge in consequence of such Separation, or, if he shall consider a Case of evident Necessity for the Discharge of the Jury has arisen in consequence of the sudden Illness of One of the Jurors or of a Witness or of the Accused.

If a Jury cannot agree, the Judge may discharge them.

6. In case a Jury cannot agree to a Verdict, after having been kept together for a reasonable Time to consider their Verdict, the Judge may discharge the Jury; and in all Cases the Judge shall decide what is reasonable Time, having regard to the Nature of the Case, and the Probability of the Jury agreeing to a Verdict by being kept together for any longer Period, and from the Decision of the Judge as to the Expediency of such Discharge there shall be no Appeal.

A Jury shall be discharged if impossible to continue the Trial from Illness of the Judge or other Cause.

7. A Jury shall be discharged in case it shall be impossible to continue the Trial in consequence of the Illness of the Judge, or some other sudden and unavoidable Cause or Accident.

General Provisions.

In case of the Illness of a Juror a

8. In case a Juror shall become sick so as to be unable to perform his Duty the Judge, if he shall so think fit, may order him to be discharged in place of discharging the Jury, and in that Case a new Juror shall be sworn, and the Trial shall be begun anew.

new Juror may be sworn in place of discharging the Jury.

9. In all Cases where a Jury shall be discharged under the Provisions of this Act, the Trial already had or commenced shall be considered null and void, and it shall be lawful to try again the Party accused.

After discharging of a Jury the Party accused may be tried again.

10. It shall be lawful for a Judge to receive and record a Verdict on a Sunday, or to discharge a Jury on a Sunday for any of the Causes herein-before mentioned, in case the Jury, after retiring to consider their Verdict, shall not have agreed thereto before *Twelve* of the Clock on the Saturday Night previous, and the Judge shall have deemed it advisable to have kept them together beyond that Time.

A Verdict may be taken or a Jury discharged on a Sunday in certain Cases.

11. In the Construction of this Act the Words "Criminal Case" shall be construed to include all Cases of Treason, Felony, and Misdemeanor; and the Word "Judge" shall be construed to mean any Party presiding at a Trial when a Jury shall be empannelled to try the Accused.

Construction of Words in this Act.

12. This Act shall not extend to Scotland.

Act not to extend to Scotland.

Juries in Criminal Cases.

A

B I L L

To codify and amend the Law in relation to the Keeping together and Discharge of Juries on the Trial of Criminal Cases.

(Prepared and brought in by
Sir Colman O'Loghlen and Colonel French.)

Ordered, by The House of Commons, *to be Printed,*
13 *February* 1866.

[Bill 16.]

Under 1 *oz.*

A

BILL

TO

Enable the Public Works Loan Commissioners to make Advances towards the Erection of Dwellings for the Labouring Classes in populous Places.

WHEREAS by "The Labouring Classes Lodging Houses Act, 1851," Powers were vested in certain Local Authorities for the Purpose of facilitating the Erection of Lodging Houses for the Labouring Classes: Preamble.

And whereas it is desirable that further Provision should be made for facilitating and encouraging the Erection of Dwellings for the Labouring Classes in populous Places:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as "The Labouring Classes Dwelling Houses Act, 1866." Short Title.

2. This Act shall be deemed to be incorporated with and shall be taken as Part of "The Labouring Classes Lodging Houses Act, 1851," and the Two Acts shall be read and construed together as if they were One Act. Incorporation with Act of 1851.

Application of Public Works and Harbours Act.

3. All the Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in and conferred and imposed by the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Eighty (Public Works and Harbours Act), and the Acts therein referred to, or any of them, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act, and to everything to be done in pursuance of this Act, and as if the same were herein repeated and set forth.

Authorities and Persons to whom Loans may be made.

4. For the Purpose herein-after mentioned, the Public Works Loan Commissioners, as defined by the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, may out of the Funds for the Time being at their Disposal from Time to Time advance on Loan to any such local or other Authority as herein-after mentioned, namely,

Any Council, Board, or Commissioners authorized to carry into execution "The Labouring Classes Lodging Houses Act, 1851," any local or other Authority invested with Powers of Town Government and Rating under any Local Act, by whatever Name such local or other Authority may be called;

18 & 19 Vict. c. 121.

Any Local Authority acting under the "Nuisances Removal Act, 1855," or any Act or Acts amending the same;

or to any such Body or Proprietor as herein-after mentioned, namely,

Any Corporation, Company, or Society established or existing under or by virtue of any Charter or Act of Parliament or otherwise;

Any Commissioners, Trustees, Feoffees, or Body of Persons constituted or acting under any Act of Parliament, Deed, Will, or other Document, or otherwise for public or private or charitable or other Purposes;

Any other Association or Body of Persons, incorporated or unincorporated;

Any private Person entitled to any Land for any Estate for Life, at Law or in Equity, or any greater Estate, at Law or in Equity, and whether in his own Right or in right of his Wife, and including any married Woman so seised or possessed, and whether restrained from Anticipation or not:

And any such local or other Authority, or any such Body or Proprietor, may from Time to Time borrow from the Public Works Loan Commissioners such Money as may be required for the Purpose of this Act, subject and according to the following Provisions:

Objects of Loans.

1. Such Advance on Loan shall be made for the Purpose of assisting in the Purchase of Land and Buildings, and in the Erection, altering, and adapting of Dwellings for the Labouring Classes, with all Buildings and Conveniences which it may be deemed expedient to provide in connexion with such Dwellings:
2. Any such Advance may be made whether the local or or other Authority or Proprietor receiving the same has or has not Power to borrow on Mortgage or otherwise, independently of this Act; and such Advance may be to any Amount agreed upon, notwithstanding the local or other Authority or Proprietor receiving the same may have Power to borrow to a limited Amount only; but nothing in this Act contained shall repeal or alter any Regulation, Statutory or otherwise, whereby any Company may be restricted from borrowing until a definite Portion of Capital is subscribed for, taken, or paid up:
3. No Application for an Advance shall be entertained without the Approval of the Commissioners of Her Majesty's Treasury of the borrowing, signified by some Writing under the Hand of One of their Secretaries or Assistant Secretaries:

Rules and Regulations.

4. It shall be lawful for the said Commissioners of Her Majesty's Treasury to make such Rules and Regulations as they shall from Time to Time think proper, with respect to Applications for Advances under this Act, and to issue such Instructions and Forms as they may think proper for the Guidance of and Observance by Persons applying for or receiving Loans, or executing Works, or rendering Accounts of Monies expended under this Act; or regarding the Class of Houses or Dwellings for the building of which such Loans may be made, and the Suitableness thereof to the Purposes intended, and as to the Means that are to be provided for their Maintenance, Repair, and Insurance:

Currency of Loans.

5. The Period for the Repayment of the Sums advanced shall not exceed Thirty Years:
6. The Repayment of the Money advanced, with Interest thereon, at such Rate as shall be agreed upon, but not at a less Rate than Four Pounds per Centum per Annum, shall be secured as follows; namely, in the Case of an Advance to any such local or other Authority

as aforesaid, either by a Mortgage solely of the Rates leviable by such Authority, or by such other Mortgage as herein-after mentioned; and in any other Case by a Mortgage of the Estate or Interest of any such local or other Authority, or of any such Proprietor as aforesaid; or in the Case of any such Proprietor being a private Person entitled for an Estate for Life or any greater Estate, then by a Mortgage of the Fee Simple in the Dwellings, Land, and Premises for the Purposes of which the Advance is made; and in the Case of an Advance to a Company any Part of whose Capital remains uncalled up or unpaid, by a Mortgage also of all Capital so remaining uncalled up or unpaid; and any such Mortgage as aforesaid may be taken either alone or together with any other Security which may be agreed upon; but it shall not be incumbent on the Public Works Loan Commissioners to require any other Security:

7. No Money shall be advanced on Mortgage of any Dwellings, Land, and Premises solely, unless the Estate therein proposed to be mortgaged shall be either an Estate in Fee Simple or an Estate for a Term of Years absolute, whereof not less than Fifty Years shall be unexpired at the Date of the Advance:

8. The Money advanced on the Security of a Mortgage of any Dwellings, Land, and Premises solely shall not exceed One Moiety of the Value, to be ascertained to the Satisfaction of the Public Works Loan Commissioners, of the Estate or Interest in such Dwellings, Land, and Premises proposed to be mortgaged; but Advances may be made by Instalments from Time to Time as the building of the Dwellings mortgaged progresses, so that the total Advance do not at any Time exceed the Amount aforesaid; and a Mortgage may be accordingly made to secure such Advances so to be made from Time to Time:

9. Any such Proprietor as aforesaid, being a private Person, may, for the Purpose of making a Mortgage under this Act, not only convey on behalf of himself, his Heirs, Executors, and Administrators, but also for and on of every Person entitled in Reversion, Remainder, or Expectancy after him, and in defeasance (to the Extent of the Security made by the Mortgage) of the Estate of every such Persons, and any such Proprietor, being a married Woman, may convey as if she were sole.

Incorporation of Lands Clauses Consolidation Act.

5. The Lands Clauses Consolidation Act, 1845, and any Act amending the same, except with respect to the taking of Lands otherwise than by Agreement, shall be incorporated with this Act, and for the Purposes of those Acts this Act shall be deemed the Special Act; and any such local or other Authority or Proprietor as aforesaid exercising the Powers of this Act shall be deemed the Promoters of the Undertaking.

Incorporation of Commissioners Clauses Consolidation Act.

6. The Clauses of the Commissioners Clauses Act, 1847, with respect to the Mortgages to be executed by the Commissioners, except so far as the same may be inconsistent with the Provisions of the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Eighty, or of any of the Acts therein recited, shall be incorporated with this Act; and in the Construction of this Act and of the said incorporated Clauses this Act shall be deemed the Special Act; and the local or other Authority, or the Proprietor, to whom the Loan is made, shall be deemed to be the Commissioners; but the said incorporated Clauses shall not, so far as they prescribe the Manner of executing Mortgages, or so far as they require a Register to be kept of Mortgages, or Transfer of Mortgages, apply to any Mortgage made under this Act by any Proprietor being a private Person; and all Mortgages executed by any Proprietor being a private Person shall be executed in the usual Manner.

Special Powers of Mortgagees.

7. Every Mortgage under this Act shall confer on the Mortgagee thereunder for the Time being all the Rights, Powers, and Privileges conferred on Mortgagees by Part II. of the Act of the Session of the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and forty-five, intituled "An Act to give to "Trustees, Mortgagees, and others certain Powers now commonly "inserted in Settlements, Mortgages, and Wills;" and any such Mortgage may confer on the Mortgagee such further Powers of Sale and other Powers, and also all such Covenants and Provisions, as may be agreed upon; and nothing contained in this Act or in any Clauses incorporated in the "Labouring Classes Lodging Houses Act, 1851," or in this Act, shall be deemed to limit or prevent the Enforcement of any Rights or Remedies which, at Law or in Equity or by Statute, may be otherwise incidental to any such Mortgage.

Powers to Companies.

8. Any Corporation, Company, or Society established or existing under or by virtue of any Charter, Act of Parliament, or otherwise, or any Commissioners, Trustees, Feoffees, or Body of Persons constituted or acting under any Act of Parliament, Deed, Will, or other Document, or otherwise, for any public or private or charitable or other Purposes, or any other Association or Body of Persons, incorporated or unincorporated, in the Course of whose Business or in the Discharge of whose Duties Persons of the Labouring Class are employed, may and are hereby (notwithstanding anything to the contrary contained in any Charter, Act of Parliament, Deed, Will, or other Document, and notwithstanding any Rule of Law or Equity to the contrary,) authorized at any Time or from Time to Time to erect, either on their own Land or on any other Land (which they are hereby authorized to purchase for the Purpose, and to pay for out of any Funds at their Disposal), Dwellings for the Accommodation of all or any of the Persons of the Labouring Class employed by them, and shall have all the like Powers of borrowing and other Powers which are herein-before conferred on any such Proprietor as herein-before mentioned.

Labouring Classes Dwellings.

A

BILL

TO

Enable the Public Works Loan Commissioners to make Advances towards the Erection of Dwellings for the Labouring Classes in populous Places.

(Prepared and brought in by Mr. Childers, Mr. Chancellor of the Exchequer, and Mr. Bruce.)

Ordered, by The House of Commons, *to be Printed,*
12 February 1866.

[Bill 9.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Enable the Public Works Loan Commissioners to make Advances towards the Erection of Dwellings for the Labouring Classes.

Preamble.

WHEREAS by "The Labouring Classes Lodging Houses Act, 1851," Powers were vested in certain Local Authorities for the Purpose of facilitating the Erection of Lodging Houses for the Labouring Classes:

And whereas it is desirable that further Provision should be made for facilitating and encouraging the Erection of Dwellings for the Labouring Classes in populous Places:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Labouring Classes Dwelling Houses Act, 1866."

Incorporation with Act of 1851.

2. This Act shall be deemed to be incorporated with and shall be taken as Part of "The Labouring Classes Lodging Houses Act, 1851," and the Two Acts shall be read and construed together as if they were One Act.

Application of Public Works and Harbours Act.

3. All the Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in and conferred and imposed by the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Eighty (Public Works and Harbours Act), and the Acts therein referred to, or any of them, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act, and to everything to be done in pursuance of this Act, and as if the same were herein repeated and set forth.

Authorities and Persons to whom Loans may be made.

4. For the Purpose herein-after mentioned, the Public Works Loan Commissioners, as defined by the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, may out of the Funds for the Time being at their Disposal from Time to Time advance on Loan to any such local or other Authority as herein-after mentioned, namely,

Any Council, Board, or Commissioners authorized to carry into execution "The Labouring Classes Lodging Houses Act, 1851;"

Any Local or other Authority invested with Powers of Town or Local Government and Rating under any Public General or any Local Act, by whatever Name such Local or other Authority may be called;

18 & 19 Vict. c. 121.

Any Local Authority acting under the "Nuisances Removal Act, 1855," or any Act or Acts amending the same;

or to any such Body or Proprietor as herein-after mentioned, namely,

Any Railway Company, or Dock or Harbour Company, or any other Company, Society, or Association established for trading or manufacturing Purposes;

Any private Person entitled to any Land for an Estate in Fee Simple, or for any Term of Years absolute, whereof not less than Fifty Years shall for the Time being remain unexpired;

And any such Local or other Authority, or any such Body or Proprietor, may from Time to Time borrow from the Public Works Loan Commissioners such Money as may be required for the Purpose of this Act, subject and according to the following Provisions:

Objects of Loans.

1. Such Advance on Loan shall be made for the Purpose of assisting in the Purchase of Land and Buildings, and in the Erection, Alteration, and Adaptation of Buildings to be used as Dwellings for the Labouring Classes, and in providing all Conveniences which may be deemed proper in connexion with such Dwellings:

2. Any such Advance may be made whether the Local or other Authority or Body or Proprietor receiving the same has or has not Power to borrow on Mortgage or otherwise, independently of this Act; but nothing in this Act contained shall repeal or alter any Regulation, statutory or otherwise, whereby any Company may be restricted from borrowing until a definite Portion of Capital is subscribed for, taken, or paid up:

3. No Sum shall be advanced without the Approval of the Commissioners of Her Majesty's Treasury of the borrowing thereof, signified by some Writing under the Hand of One of their Secretaries or Assistant Secretaries:

Rules and Regulations.

4. It shall be lawful for the said Commissioners of Her Majesty's Treasury to make such Rules and Regulations as they shall from Time to Time think proper with respect to Applications for Advances under this Act, and the Terms and Conditions upon which such Advances are to be made, and to issue such Instructions and Forms as they may think proper for the Guidance of and Observance by Persons applying for or receiving Loans, or executing Works, or rendering Accounts of Monies expended under this Act; or regarding the Class of Dwellings towards the providing of which such Loans may be made, and the Adaptation thereof to the Purposes intended, and as to the Mode of providing for their Maintenance, Repair, and Insurance:

Currency of Loans.

5. The Period for the Repayment of the Sums advanced shall not exceed Forty Years:

6. The Repayment of the Money advanced, with Interest thereon, at such Rate as shall be agreed upon, but not at a less Rate than Four Pounds per Centum per Annum, shall be secured as follows; namely, in the Case of an Advance to any such Local or other Authority as aforesaid, either by a Mortgage solely of the Rates leviable by such Authority, or by such other Mortgage as herein-after mentioned, or by both; and in any other Case by a Mortgage of the Estate or Interest of any such Local or other Authority, or of any such Body or Proprietor as aforesaid, in the Land or Dwellings for the Purposes of which the Advance is made; and in the Case of an Advance to a Company any Part of whose Capital remains uncalled up or unpaid, by a Mortgage also of all Capital so remaining uncalled up or unpaid; and any such Mortgage as aforesaid may be taken either alone or together with any other Security

which may be agreed upon; but it shall not be incumbent on the Public Works Loan Commissioners to require any other Security:

7. No Money shall be advanced on Mortgage of any Land or Dwellings solely, unless the Estate therein proposed to be mortgaged shall be either an Estate in Fee Simple or an Estate for a Term of Years absolute, whereof not less than Fifty Years shall be unexpired at the Date of the Advance:

8. The Money advanced on the Security of a Mortgage of any Land or Dwellings solely shall not exceed One Moiety of the Value, to be ascertained to the Satisfaction of the Public Works Loan Commissioners, of the Estate or Interest in such Land or Dwellings proposed to be mortgaged; but Advances may be made by Instalments from Time to Time as the building of the Dwellings on the Land mortgaged progresses, so that the total Advance do not at any Time exceed the Amount aforesaid; and a Mortgage may be accordingly made to secure such Advances so to be made from Time to Time:

9. For the Purposes of this Act every such Local or other Authority or Body as aforesaid is hereby authorized to purchase, take, and hold Land, and if not already a Body Corporate shall, for the Purpose of holding such Land under this Act, and of suing and being sued in respect thereof, be nevertheless deemed a Body Corporate with perpetual Succession.

Incorporation of Lands Clauses Consolidation Act.

5. The Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation (Scotland) Act, 1845, and any Act amending the same, except the Clauses in the said Acts respectively with respect to the Purchase and taking of Lands otherwise than by Agreement, shall be incorporated with this Act, and for the Purposes of those Acts this Act shall be deemed the Special Act; and any such Local or other Authority or Body or Proprietor as aforesaid exercising the Powers of this Act shall be deemed the Promoters of the Undertaking.

Incorporation of Commissioners Clauses Consolidation Act.

6. The Clauses of the Commissioners Clauses Act, 1847, with respect to the Mortgages to be executed by the Commissioners, except so far as the same may be inconsistent with the Provisions of the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Eighty, or of any of the Acts therein recited, shall be incorporated with this Act; and in the Construction of this Act and of the said incorporated Clauses this Act shall be deemed the Special Act; and the Local or other Authority, or the Body or Proprietor, to whom the Loan is made, shall be deemed to be the Commissioners; but the said incorporated Clauses shall not, so far as they prescribe the Manner of executing Mortgages, or so far as they require a Register to be kept of Mortgages, or Transfers of Mortgages, apply to any Mortgage made under this Act by any Proprietor being a private Person; and all Mortgages executed by any Proprietor being a private Person shall be executed in the usual Manner.

Special Powers of Mortgagees.

7. Every Mortgage under this Act shall confer on the Mortgagee thereunder for the Time being all the Rights, Powers, and Privileges conferred on Mortgagees by Part II. of the Act of the Session of the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and forty-five, intituled "An Act to give to "Trustees, Mortgagees, and others certain Powers now commonly "inserted in Settlements, Mortgages, and Wills;" and any such Mortgage may confer on the Mortgagee such further Powers of Sale and other Powers, and may also contain all such Covenants and Provisions, as may be agreed upon; and nothing contained in this Act or in any Clauses incorporated in the "Labouring Classes Lodging Houses Act, 1851," or in this Act, shall be deemed to limit or prevent the Enforcement of any Rights or Remedies which, at Law or in Equity or by Statute, may be otherwise incidental to any such Mortgage, either under the Acts relating to the Public Works Loan Commissioners, or otherwise.

Powers to Companies.

8. Any Railway Company, or Dock or Harbour Company, or any other Company, Society, or Association, established for trading or manufacturing Purposes in the course of whose Business or in the Discharge of whose Duties Persons of the Labouring Class are employed, may and are hereby (notwithstanding any Act of Parliament, or Charter, or any Rule of Law or Equity to the contrary,) authorized at any Time or from Time to Time to erect, either on their own Land or on any other Land (which they are hereby authorized to purchase and hold for the Purpose, and to pay for out of any Funds at their Disposal), Dwellings for the Accommodation of all or any of the Persons of the Labouring Class employed by them, and shall have all the like Powers of borrowing and other Powers which are herein-before conferred on any such Body or Proprietor as herein-before mentioned.

9. This Act shall not extend to Ireland.

Labouring Classes Dwellings.

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Enable the Public Works Loan Commissioners to make Advances towards the Erection of Dwellings for the Labouring Classes.

(Prepared and brought in by
Mr. Childers, Mr. Chancellor of the Exchequer,
and Mr. Bruce.)

Ordered, by The House of Commons, *to be Printed,*
13 *March* 1866.

[Bill 67.]

Under 1 *oz.*

A

BILL

TO

Encourage the Establishment of Lodging Houses for the Labouring Classes in Ireland.

WHEREAS it is desirable for the Health, Comfort, and Welfare of the Inhabitants of Towns and populous Districts to encourage the Erection and Establishment of Lodging Houses and Dwellings for the Labouring Classes in Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. In citing this Act for any Purpose it shall be sufficient to use the Expression "The Labouring Classes Lodging Houses and Dwellings Act (Ireland), 1866." Short Title.

2. In this Act the several Words following shall have the several Meanings hereby assigned to them: Interpretation.

The Words "Dwelling Houses" shall include Lodging Houses:

The Word "Borough" shall mean and include any City, Borough, or Town:

The Term "Council" shall mean the Mayor, Aldermen, and Burgesses, or other the Municipal Corporation of any Borough, or any Town having Municipal Commissioners under the Act Third and Fourth Victoria, Chapter One hundred and eight:

The Term "Town Commissioners" shall mean any Commissioners intrusted with the paving, lighting, or cleansing of any Borough, or any Commissioners in any Townships under Local Acts:

The Term "Public Works Commissioners" shall mean the Commissioners of Public Works in Ireland for the Time being:

The Term "Lords of the Treasury" shall mean the Lords Commissioners of Her Majesty's Treasury for the Time being:

"Rates" shall mean the Rates, Tolls, Rents, Income, and other Monies whatsoever which under the Provisions of any Act shall be applicable for the general Purposes of such Act:

"Lands" shall mean Tenements and Hereditaments of whatsoever Nature or Tenure:

"Justice" shall mean Justice of the Peace for the County, Division, Liberty, Borough, or Place where the Matter requiring the Cognizance of such Justice shall arise.

Act may be adopted in any Borough.

3. This Act may be adopted for any Borough in Ireland which now has or may hereafter have any Municipal Corporation, or in which now exist or may hereafter exist any Commissioners for the paving, lighting, or cleansing of the same, under any Public or Local Act of Parliament or any Charter, and any Townships having Commissioners under Local Acts.

Council of Corporation may determine that this Act shall be adopted.

4. The Council of the Corporation or the Town Commissioners of any such Borough or Commissioners for any Township may, if they think fit, determine that this Act shall be adopted for such Borough, Town, or Township, and then and in such Case such of the Provisions of this Act as are applicable in that Behalf shall thenceforth take effect and come into operation in such Borough, Town, or Township, and shall be carried into execution by such Council or Town Commissioners as aforesaid.

On Requisition of Ratepayers the Council or Town Commissioners to postpone Proceedings for One Year.

5. Such Council or Town Commissioners shall give not less than Twenty-eight nor more than Forty-two Days public Notice of their Intention to take into consideration the Propriety of adopting this Act, and of the Time and Place for holding the Meeting at which they will take it into consideration; and if there be presented to such Council or Town Commissioners at that Meeting a Memorial in Writing, signed by not less than One Tenth in Value of the Persons liable to be rated to Rates made by such Council or Town Commissioners, requesting such Council or Town Commissioners to postpone such Consideration for a Period of One Year, then and in such Case such Consideration shall be postponed for such Period of One Year, and shall be entered on as soon after the Expiration of the Year of Postponement as such Council or Town Commissioners shall think fit.

Expenses to be paid out of Rates.

6. The Expenses of carrying this Act into execution in any such Borough in which it shall be so adopted shall be paid out of any Rates which such Council or such Town Commissioners may have Power to impose for the Purpose of paving, lighting, cleansing, or otherwise improving the Borough, Town, or Township, and which Rates it is hereby enacted may be increased for the Purpose of defraying such Expense, such Increase to be subject to the Approval of the Lords of the Treasury.

Net Income to be paid to the Credit of the Borough Fund.

7. The net Income arising from any Lodging Houses or Dwellings built by any Council or Town Commissioners after the Payment of all Outgoings, including the Interest and Instalments of Principal of any borrowed Money, shall be paid to the Credit of the Borough or Town Commissioners Fund or otherwise in aid of the Rates which may have been applied to the Payment of the Expenses aforesaid, and the Council or Town Commissioners shall keep distinct Accounts of their Expenses, Receipts, and Liabilities with reference to the Execution of this Act, to be called "The Labourers Dwellings Account."

Commissioners of Public Works may advance Monies to Companies, Societies, or Persons.

8. For the Purposes herein-after mentioned the Commissioners of Public Works in Ireland may, out of the Funds from Time to Time at their Disposal, advance on Loan to any such Council or Town Commissioners as aforesaid, or to any Company, Society, or Person as herein-after mentioned, namely, any Railway Company, or Dock or Harbour Company or Commissioners, or any other Company, Society, or Association established for Trading or Manufacturing Purposes in the course of whose Business or in discharge of whose Duties Persons of the Labouring Class may be employed, any private Person or Persons entitled to any Land held in Fee Simple or Fee Farm, or for Lives renewable for ever or for any Term of Years whereof not less than *Eighty Years* shall be unexpired, and all such Advances by way of Loan shall be applied towards the Purchase of Land or Buildings and the Erection, Alteration, and Adaptation of Buildings to be used as Dwellings for the Labouring Classes, and in providing all Conveniences which may be deemed by the Commissioners of Public Works proper in connexion with such Dwellings, and in the Case of Loan to any such Council or Town Commissioners as aforesaid, the Term "Dwellings" in this Section shall include Lodging Houses formed or erected by them under the Authority of this Act.

Advances may be made whether Local or other Authority has Power to borrow.

9. Any such Advance may be made whether the Local or other Authority, Body Corporate, Society, or Person or Persons receiving the same has or has not Power to borrow on Mortgage or otherwise independently of this Act; but nothing in this Act contained shall repeal or alter any Regulation, statutory or otherwise, whereby any Company may be disabled from borrowing until a definite Portion of Capital is subscribed for, taken, or paid up, and no such Advance shall be made without the Approval of the Lords of the Treasury.

Commissioners of Public Works, with the Approval of the Treasury, to make Rules and Regulations.

10. It shall be lawful for the said Commissioners of Public Works, with the Approval of the said Lords of the Treasury, from Time to Time to make such Rules and Regulations as they may think fit with respect to Applications for Loans under this said Act, and the Terms and Conditions on which such Loans shall be made, and to issue such Instructions and Forms as they may think proper for the Guidance and Observance of Persons or Bodies applying for or receiving such Loans, or executing such Works, or rendering Accounts of Monies expended under this Act, or regarding the Class of Dwellings or Lodging Houses (as the Case may be), towards the providing of which such Loans may be made, and the Adaptation thereof to the Purposes intended, and as to the Mode of providing for their Maintenance, Repair, or Insurance.

Period for Repayment of Advances.

11. The Period for the Repayment of such Advances shall be regulated by the Public Works Commissioners, with the Sanction of the Commissioners of the Treasury, and shall in no Case exceed *Forty Years.*

Security for such Advances.

12. The Repayment of any such Money so advanced, with Interest thereon at any Rate not less than *Four Pounds per Cent.* per Annum, shall be secured as follows, namely, in the Case of an Advance to any such Council or Town Commissioners by a Mortgage solely of said Rates so leviable by them respectively as aforesaid, or by such Mortgage as herein-after mentioned, or by both, and in any other Case by Mortgage of the Lands, Buildings, or Premises for the Purposes of which such Advance shall be made; and in the Case of an Advance to a Company or Society any Part of whose Capital remains uncalled up or unpaid, by a Mortgage also of all Capital so uncalled up or unpaid; and any such Mortgage may be taken either alone or together with any other Security which may be agreed upon.

Money advanced on Security of Land not to

13. The Money so advanced on the Security of any Land or Buildings shall not exceed One Moiety of the Value of the Estate or Interest in such Land or Buildings so proposed to be given in Mortgage,

gage,

exceed Moiety of the Value.

gage, and all such Monies may be advanced by Instalments as may be agreed upon.

Council, Town Commissioners, or Society may appropriate Lands.

14. Any such Council or Town Commissioners, and every such other Company, Commissioners, Society, or Association, may appropriate for the Purposes of this Act any Lands vested in them respectively, and they may also respectively purchase or take on Lease any Lands or Buildings necessary for the Purposes of this Act; and every such Commissioners, Company, or Society as aforesaid, for the Purpose of taking and holding such Lands, shall be deemed to be a Body Corporate, with Right of perpetual Succession: Provided always, that no such Council or Town Commissioners shall so appropriate, purchase, or take on Lease any such Lands or Buildings without the Sanction of the said Lords of the Treasury.

Enactments applicable to the Acquisition of Lands by Railway Companies to apply.

15. For the Purpose of the Acquisition of any such Lands or Buildings by said Council, Town Commissioners, Commissioners, Company, Society, Association, or Person as aforesaid, all the statutory Enactments for the Time being applicable to the Acquisition of Lands by Railway Companies in Ireland (save so far as they relate to the taking of Lands otherwise than by Agreement) shall be deemed to be incorporated with this Act; and for the Purposes aforesaid this Act shall be deemed the Special Act, and the said Council or Town Commissioners, Society, Association, or Person as aforesaid the Promoters.

Buildings to be erected.

16. The said Council or Town Commissioners, Company, Society, Association, or Person may from Time to Time, on any Lands so appropriated, purchased, or rented, or contracted so to be, respectively erect any Buildings suitable for the Dwellings or Lodging Houses, as the Case may be, of the Labouring Classes, and convert any Buildings so taken by them into such Dwellings or Lodging Houses, and may from Time to Time alter, enlarge, repair, and improve the same, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences, and may enter into any Contracts for the Purposes aforesaid, and may apply to the Purposes aforesaid any Funds at their Disposal respectively.

Council or Town Commissioners may enter into Contracts.

17. Any such Council or Town Commissioners may enter into any Contracts for the Purpose of supplying any such Lodging Houses provided or erected by them with Gas, Water, or other Conveniences, and any Commissioners or Trustees for the supplying of any Borough with Gas or Water may, if they shall think fit, supply Gas or Water to such Lodging Houses without Charge, or at any reduced Charge, or on other favourable Terms.

Certain Sections of Commissioners Clauses Act to apply.

18. Sections 56, 57, 58, 59, 60, 61, 62, 63, 64, 99, 100, 101, 102, 103 of the Commissioners Clauses Act, 1847, shall be incorporated with this Act, so far as regards any such Council, Town Commissioners, or any Dock or Harbour Company or Commissioners; and the Term "Commissioners" in the said Clauses so incorporated shall mean and include any such Council or Town Commissioners, Dock or Harbour Company or Commissioners as aforesaid, and this Act shall be deemed the Special Act for the Purpose of such Incorporation.

Council, Town Commissioners, or Company may make Sale of Lands vested in them for the Purposes of this Act.

19. Any such Council, Town Commissioners, Railway Company, or Dock or Harbour Company or Commissioners, may from Time to Time, with the Sanction of the Lords of the Treasury, make sale and dispose of any Lands, Houses, or Buildings vested in such Council, Commissioners, or Company as last aforesaid for the Purposes of this Act, and may with the like Sanction exchange any such Lands, Houses, or Buildings for any others better suited for such Purposes, with or without paying or receiving any Money for Equality of Exchange, and the Proceeds of all such Sales shall be applied for the Benefit of such Council, Commissioners, or Company, or for the Purposes of this Act, in such Manner as the said Lords of the Treasury may approve or direct.

Management and Regulation to be vested in the Council or Town Commissioners.

20. The general Management, Regulation, and Control of any Lodging Houses established under this Act by any such Council or Town Commissioners shall (subject to the Provisions of this Act) be vested in such Council or Town Commissioners respectively; and every Lodging House established under this Act, and which shall be within the Jurisdiction of any Sanatory Board, shall at all Times be open to the Inspection of such Sanatory Board, and the Officers thereof from Time to Time authorized by such Board to make such Inspection.

Council or Commissioners may make Byelaws for the following Purposes.

21. That such Council or Town Commissioners may make Byelaws for the Regulation of such Lodging Houses, and from Time to Time vary and alter such Byelaws, and may appoint any Penalty not exceeding *Five Pounds* for the Breach by their Officers respectively, or by any Tenants or Occupiers of such Lodgings, of every such Byelaw, and such Byelaws among other things shall make sufficient Provision for the following Purposes:

1. For securing that such Lodging Houses shall be under the Control of the Officers and Servants of the Council or Town Commissioners:
2. For securing the due Separation at Night of Men and Boys over Eight Years of Age from Women and Girls:

3. For preventing Damage, Disturbance, Interruption, indecent or offensive Language and Behaviour, and Nuisances.
4. For determining the Duties of the Officers, Servants, and others appointed by the Council or Town Commissioners: Provided always, that no such Byelaw shall be of any legal Force until the same shall have received the Approval of the Chief Secretary or Under Secretary for Ireland.

Printed Copy of Byelaws to be put up.

22. A printed Copy of such Byelaws shall be put up and at all Times kept on every Room of any such Lodging House.

Proof of Byelaws.

23. The Production by any such Council or Town Commissioners of a Copy of such Byelaws, purporting to be signed by such Chief Secretary or Under Secretary, shall be sufficient Proof in all Courts of Justice and elsewhere that such Byelaws have been duly approved of by such Secretary or Under Secretary.

Recovery and Application of Fines.

24. All Fines imposed by any such Byelaw shall be recovered in a summary Way before any Justice, and one Moiety of any such Penalty shall be paid to the Informer, and the other Moiety to the Council or Town Commissioners, to be applied by them in aid of the Expenses of such Lodging Houses.

Powers conferred on Mortgagees.

25. Every Mortgage under this Act shall confer on the Mortgagees all the Rights, Powers, and Privileges conferred on Mortgagees by Part 2 of the Act of the Session of the Twenty-third and Twenty-fourth Years of Her Majesty's Reign, Chapter One hundred and forty-five, and may contain any other Covenants and Conditions as may be agreed upon.

Power to appoint a Receiver.

26. In addition to all such Powers so conferred on such Mortgagees, in case any Interest or Instalment of Principal due on Foot of any such Mortgage to the said Commissioners of Public Works shall be unpaid for the Space of *Thirty-one Days* after the Day appointed for the Payment thereof, then it shall be lawful for the Court of Chancery in Ireland, upon the Petition of the Public Works Commissioners for the Time being by their Secretary, in a summary Way to appoint a Receiver over any Rates or the Rents and Profits of any Lands comprised in such Mortgage, and such Receiver shall have the same Powers as any other Receiver in the Court of Chancery, and shall apply the said Rates, Rents, and Profits (after deducting all Costs and Outgoings) in and towards the Monies due on Foot of any such Mortgage.

Labouring Classes Dwellings (Ireland).

A

B I L L

To encourage the Establishment of Lodging Houses for the Labouring Classes in Ireland.

(*Prepared and brought in by*
Mr. Childers and Mr. Attorney General for Ireland.)

Ordered, by The House of Commons, *to be Printed,*
9 *April* 1866.

[Bill 94.]

Under 1 *oz.*

A

BILL

TO

Confirm a Provisional Order under "The Land Drainage Act, 1861."

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of "The Land Drainage Act, 1861," duly made the Provisional Order contained in the Schedule to this Act annexed, and it is by the said Act provided that no such Order shall be of any Validity whatever until such Order shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

24 & 25 Vict. c. 133.

1. That the Provisional Order contained in the Schedule hereunto annexed is hereby confirmed, and from and after the passing of this Act shall be deemed to be a Public General Act of Parliament of the like Force and Effect as if the Provisions of the same had been enacted in the Body of this Act.

Provisional Order in Schedule confirmed.

2. This Act may be cited for all Purposes as "The Land Drainage Supplemental Act, 1866."

Short Title.

SCHEDULE to which this Act refers.

In the Matter of Frodsham and Ince Improvement, situate in the several Parishes of Frodsham, Ince, and Thornton in the Moors in the County of Chester.

We, the Inclosure Commissioners for England and Wales, in pursuance of the power given to us by "The Land Drainage Act, 1861," do, by this Provisional Order under our seal, constitute the lands which are delineated on a Map authenticated under our hands and seal as the Map referred to in this Provisional Order, and intituled the Frodsham and Ince Separate Drainage District Map, and a copy of which is deposited in the Inclosure Office, a Separate Drainage District under the said Act.

And We do further, by this our Provisional Order, make the following regulations with respect to the Drainage Board:—

That the Drainage Board for the said District shall consist of twenty members.

That the following persons shall be the members of the first Drainage Board:—The Marquis of Cholmonley, of Cholmonley Castle, Cheshire; Lord Henry Cholmonley, of Holly Hill, Southampton; Major W. Barnston, of Crew Hill, Cheshire; John Higson Hayes, of Frodsham, esquire; Goodwin Charles Colquit Craven, of Brockhampton Park, esquire; Edmund Park Yates, of Ince Hall, esquire; John Higson, of Frodsham, esquire; John Rigby Pickering, of Frodsham, esquire; Samuel Burgess, of Helsbey, esquire; Charles Henry Hitchin, of Newton Hall, Cheshire, esquire; Thomas Johnson, of Halton Grange, Cheshire, esquire; Henry Lowe, of Sutton Hall, Cheshire, esquire; Joseph Robinson, of Netherton, esquire; the Reverend Thomas Francis Barker, of Thornton Rectory, clerk; Thomas Morris, of Elton, yeoman; Joseph Pover, of Elton, yeoman; Townsend Ince, of Chriselton, esquire; Robert Ashton, of Overton, yeoman; the Reverend James Cox, of Halton, clerk; and the Reverend William Whitley, of Catsclough Winsford, clerk.

That the first meeting of the said Board shall be summoned by notice under the hands of any two or more of the said Board, published in some newspaper generally circulated in the District, and posted on the church doors of the above-mentioned parishes at least fourteen days before the day of meeting.

That the qualification of any subsequent Member of the said Board shall be that he shall be the proprietor of not less than twenty acres of land within the area of the said District; or, secondly, the heir apparent of the proprietor of an estate of not less than twenty acres in extent within the area of the said District; or, thirdly, occupying tenant yearly or otherwise of not less than thirty acres within the area of the said District; or, fourthly, the agent of a proprietor of an estate of not less than twenty acres of land within the area of the said District, such agent acting under a written appointment.

That the Members of the first Board shall vacate their offices on the first Thursday in September in the year following that in which this Provisional Order shall be confirmed by Parliament.

That the Electors for Members of the Drainage Board shall be the persons who have, during the year immediately preceding such Election, been rated to any Drainage Rate of the District hereby constituted, and have paid all such Rates due from them at the time of such Election.

In witness whereof, we have hereunto set our Official Seal this Eleventh day of January One thousand eight hundred and sixty-six.

L.S.

Land Drainage Supplemental.

A

BILL

To confirm a Provisional Order under "The Land Drainage Act, 1861."

(*Prepared and brought in by*
Mr. Baring and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
27 *April* 1866.

[Bill 125.]

Under 1 *oz.*

A

BILL

TO

Confirm a Provisional Order under "The Land Drainage Act, 1861."

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of "The Land Drainage Act, 1861," duly made the Provisional Order contained in the Schedule to this Act annexed, and it is by the said Act provided that no such Order shall be of any Validity whatever until such Order shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: **Preamble.** 24 & 25 Vict. c. 133.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Order in Schedule confirmed.

1. That the Provisional Order contained in the Schedule hereunto annexed is hereby confirmed, and from and after the passing of this Act shall be deemed to be a Public General Act of Parliament of the like Force and Effect as if the Provisions of the same had been enacted in the Body of this Act.

Short Title.

2. This Act may be cited for all Purposes as "The Land Drainage Supplemental Act, 1866, Number 2."

SCHE-

SCHEDULE to which this Act refers.

In the matter of Northmoor and Stanton Harcourt Improvement, situate in the several Parishes of Northmoor, Stanton Harcourt, and Standlake, in the County of Oxford.

We, the Inclosure Commissioners for England and Wales, in pursuance of the Power given to us by "The Land Drainage Act, 1861," do, by this Provisional Order, under our Seal, constitute the Lands which are delineated on a Map authenticated under our Hands and Seal as the Map referred to in this Provisional Order, and intituled the Northmoor and Stanton Harcourt Separate Drainage District Map, and a Copy of which is deposited in the Inclosure Office, a Separate Drainage District under the said Act.

And we do further, by this our Provisional Order, make the following Regulations with respect to the Drainage Board :—

That the Drainage Board for the said District shall consist of Fifteen Members.

That the following Persons shall be the Members of the First Drainage Board:—Colonel Edward Vernon Harcourt of Hastings, Mr. Richard Lord of Stanton Harcourt, Oxon, Mr. George Castle of Stanton Harcourt, Oxon, Mr. Samuel Druce of Eynsham, Oxon, Mr. Thomas Blake of Eynsham, Oxon, Arthur Robarts Adams, Esquire, D.C.L., Fellow of Saint John's College in the University of Oxford, the Reverend Francis Arthur Powys, Fellow and Bursar of the same College, the Reverend James Norris, D.D., President of Corpus Christi College in the said University, Mr. Francis Field of Oxford, Agent for the Dean and Chapter of Christ Church in Oxford, Mr. John Giles, of Gaunt House, Standlake, Oxon, Mr. Edward Blagrave, Steward of Magdalen College in the said University, Mr. William Pinnock of Brighthampton, Oxon, the Reverend Frederick Metcalfe of Lincoln's College in the said University, Mr. George Andrews of Stanton Harcourt, Oxon, and Mr. George Watkins, Saint Giles', Oxford.

That the First Meeting of the said Board shall be summoned by Notice sent by the Post to each Member of the said Board, and posted on the Church Doors of the above-mentioned Parishes at least Seven Days before the Day of Meeting.

That the Qualification of any subsequent Member of the said Board shall be, that he shall be the Proprietor of not less than Ten Acres of Land within the Area of the said District; or, secondly, the Heir Apparent of the Proprietor of an Estate of not less than Ten Acres in Extent within the Area of the said District; or, thirdly, the Agent of a Proprietor of an Estate of not less than Ten Acres of Land within the Area of the said District, such Agent acting under a written Appointment.

That the Members of the First Board shall vacate their Offices on the last Day in September in the Year following that in which this Provisional Order shall be confirmed by Parliament.

That the Electors for Members of the Drainage Board shall be the Persons who have, during the Year immediately preceding such Election, been rated to any Drainage Rate of the District hereby constituted, and have paid all such Rates due from them at the time of such Election.

In witness whereof we have hereunto set our Official Seal this Second Day of June One thousand eight hundred and sixty-six.

L.S.

Land Drainage Supplemental
(No. 2).

A

B I L L

To confirm a Provisional Order under "The Land Drainage Act, 1861."

(*Prepared and brought in by*
Mr. Knatchbull-Hugessen and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
14 *June* 1866.

[Bill 192.]

Under 1 *oz.*

A

BILL

TO

Appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth, Chapter Seventy-five:

7 & 8 G. 4. c. 75.

And whereas another Act was passed in the Ninth Year of the Reign of His said Majesty, Chapter Thirty-eight:

9 G. 4. c. 38.

And whereas another Act was passed in the Second and Third Years of His Majesty King William the Fourth, Chapter One hundred and twenty-seven:

2 & 3 W. 4. c. 127.

And whereas another Act was passed in the Third and Fourth Years of the Reign of His said Majesty, Chapter Ninety-five:

3 & 4 W. 4. c. 95.

And whereas another Act was passed in the Sixth and Seventh Years of His said Majesty, Chapter Eighty:

6 & 7 W. 4. c. 80.

And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, Chapter Fifty-seven:

1 & 2 Vict. c. 57.

And whereas another Act was passed in the Seventh and Eighth Years of Her present Majesty, Chapter Seventy-nine:

7 & 8 Vict. c. 79.

And whereas another Act was passed in the Eleventh and Twelfth Years of Her present Majesty, Chapter Sixty-two:

11 & 12 Vict. c. 62.

16 & 17 Vict. c. 111.

And whereas another Act was passed in the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and eleven:

20 & 21 Vict. c. 46.

And whereas another Act was passed in the Twentieth and Twenty-first Years of Her present Majesty, Chapter Forty-six:

26 & 27 Vict. c. 101.

And whereas another Act was passed in the Twenty-sixth and Twenty-seventh Years of Her present Majesty, Chapter One hundred and one:

And whereas it is expedient to appoint additional Persons to put in execution the several Acts for granting an Aid to Her Majesty by a Land Tax in Great Britain, and several other Acts for continuing or granting to Her Majesty Rates and Taxes:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, as follows:

Appointment of additional Commissioners.

1. The several and respective Persons herein-after named shall and may, and are hereby empowered and authorized (being duly qualified) to put in execution the said Acts, and all the Clauses, Powers, Matters, and Things whatsoever therein contained, as Commissioners in and for the several and respective Counties, Shires, and Places in England and Wales herein-after severally and respectively mentioned and expressed, as fully and effectually as if they had been named with the other Commissioners in the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth; (that is to say,)

For the County of Bedford.

Land Tax Commissioners Names.

A

B I L L

To appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.

(Prepared and brought in by Mr. Childers and Mr. Chancellor of the Exchequer.)

Ordered, by The House of Commons, *to be Printed,*
15 *March* 1866.

[Bill 71.]

Under 1 *oz.*

Landed Estates Court, &c. (Ireland), Bill.

ARRANGEMENT OF CLAUSES.

CLAUSE.

Preamble recites 21 & 22 Vict. c. 72., 24 & 25 Vict. c. 123., 28 & 29 Vict. c. 88., and 28 & 29 Vict. c. 101.

1. Judges of the Court to be Two only.
2. Rules, &c. made by Lord Chancellor and One Judge only to be valid.
3. Rates of Duty on certain Estates reduced as set out in Schedule.
4. Repeal of 29th Section of the Debentures Act: Stamp Duty on Land Debentures.
5. Repeal of First Part of Sect. 62. of Stat. 28 & 29 Vict. c. 88.
6. The recited Acts of last Session to be carried out by Recorder of Titles.
7. First Appointment of Recorder of Titles.
8. Future Appointment of Recorder of Titles.
9. Examiners and Recorder of Titles may act for each other.
10. Chief and other Clerks to transact such Business as the Judges may direct.
11. Power to consolidate the Offices of Registrar and Recorder of Titles.
12. Messengers, &c. to hold during Pleasure.
13. Short Title and Construction.

SCHEDULE of DUTIES.

A

BILL

TO

Reduce the Number of Judges in the Landed Estates Court in Ireland, and to reduce the Duties payable under the Record of Title and Land Debentures Acts.

WHEREAS an Act was passed in the Session of Parliament holden in the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, intituled "An Act to "facilitate the Sale and Transfer of Land in Ireland," whereby it was enacted that there should be Three Judges of the Landed Estates Court thereby constituted:

Preamble.

21 & 22 Vict. c. 72.

And whereas a Vacancy has arisen in consequence of the Demise of Charles James Hargreave, One of the said Judges, and it is not expedient, having regard to the State of the Judicial Business of the Court, that such Vacancy should be filled up:

And whereas an Act was passed in the Session of Parliament holden in the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty, intituled "An Act to reduce and alter the Rate of "Duty payable on Proceedings under the Statute of the Twenty-"first and Twenty-second Years of Victoria, Chapter Seventy-two, "Section Eighty-eight, and for other Purposes;" and it is expedient further

24 & 25 Vict. c. 123.

further to reduce the Rates of Duty payable in respect of the larger Estates, and in respect of Partitions, Exchanges, and Divisions of Land:

28 & 29 Vict. c. 88. and 28 & 29 Vict. c. 101.

And whereas Two Acts were passed in the last Session of Parliament, intituled respectively, the "Record of Title Act (Ireland), 1865," and the "Land Debentures (Ireland) Act, 1865," and it is expedient to reduce the Stamp Duty payable in respect of Land Debentures, and to make better Provision for carrying out the said Acts of the last Session of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Judges of the Court to be Two only.

1. There shall be Two Judges only of the Landed Estates Court, and all Powers and Authorities which might by Law be exercised by Three Judges may be exercised by the Two existing Judges of the Court, and by their Successors in Office.

Rules, &c. made by Lord Chancellor and One Judge only to be valid.

2. In the event of any Difference of Opinion arising between the Judges of the Court as to any proposed Rule, Regulation, Order, or Direction (excepting for the Removal of any Officer) in which their Concurrence may be required, it shall be lawful for the Lord Chancellor of Ireland, on such Matter being submitted to him, to determine the same; and every Rule, Regulation, Order, or Direction (except as aforesaid), when signed by the Lord Chancellor and by One of the said Judges, shall thereupon be as valid and binding for all Purposes as though such Rule, Regulation, Order, or Direction had been signed by both of the said Judges.

Rates of Duty on certain Estates reduced as set out in Schedule.

3. The several Duties set out in the Schedule hereto shall be levied and paid in lieu of those now payable; and so much of the said recited Act of the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty as imposes higher Rates of Duty than those set out in the Schedule hereto is hereby repealed.

Repeal of 29th Section of the Debentures Act: Stamp Duty on Land Debentures.

4. The Twenty-ninth Section of "The Land Debentures (Ireland) Act, 1865," is hereby repealed, and no Certificate under that Act shall be deemed to be a Deed within the Meaning of the Stamp Acts. A Debenture under the said Act shall be deemed to be a Mortgage for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage, and the Court shall frame and promulgate such Rules and Directions as it shall consider expedient for securing the Payment of the Transfer Duty: Provided that where on the original making and issuing of any Debenture the same shall be stamped with a

Duty of Four Shillings for every Hundred Pounds and also for any fractional Part of One hundred Pounds of the Principal Money thereby secured, then every Transfer thereafter made of such Debenture shall be exempt from the Stamp Duty which would otherwise be payable in respect of the Transfer.

Repeal of First Part of Sect. 62. of Stat. 28 & 29 Vict. c. 88.

5. So much of the Sixty-second Section of the "Record of Title Act (Ireland), 1865," as enacts that the Record shall be under the Management of several Officers of the Court, is hereby repealed.

The recited Acts of last Session to be carried out by Recorder of Titles. 25 & 26 Vict. c. 53. s. 108.

6. The Business of the Record of Title Office shall be conducted by a "Recorder of Titles," whose Duty it shall be to carry out the "Record of Title Act (Ireland), 1865," and the "Land Debentures (Ireland) Act, 1865," under the joint Direction of the Judges of the Court, and with the Aid of such Offices and Clerks of the Court as may from Time to Time be attached to the Record of Title Office by Order of the Judges. The Recorder of Titles shall hold his Office during good Behaviour, subject to be removed by the joint Order of the Judges, made with the Sanction of the Lord Chancellor of Ireland, for some reasonable Cause to be in the Order expressed. *There shall be paid to the Recorder of Titles a Salary of One thousand Pounds a Year, payable quarterly out of the Funds to be provided by Parliament for the Expenses of the Court.*

First Appointment of Recorder of Titles.

7. Richard Denny Urlin, Barrister-at-Law, the Examiner attached to the Court of the said Judge Hargreave (deceased), shall be the First Recorder of Titles under this Act, and his Service of Sixteen Years in the Incumbered and Landed Estates Courts shall, in estimating the Amount of his retiring Allowance, be taken into account as though such Service had been in the Office hereby created, and his Right to retire under the Provisions of the Thirty-eighth Section of the "Court of Chancery (Ireland) Regulation Act, 1850," shall not be affected by his Appointment under this Act.

Future Appointment of Recorder of Titles.

8. When any Vacancy shall occur in the Office of Recorder of Titles it shall be lawful for the Lord Lieutenant of Ireland by Warrant to appoint thereto a fit Person, being a Barrister-at-Law or Solicitor of at least *Ten Years* standing, or having filled some Office or Offices in the Landed Estates Court for *Ten Years.*

Examiners and Recorder of Titles may act for each other.

9. The Recorder of Titles shall be considered as an Examiner for the Purpose of winding up the Business now pending in the Chambers of the said Charles James Hargreave, and also for the Purpose of discharging the Duties of an Examiner when directed by the

Judges of the Court, or during the Absence of an Examiner, and it shall be lawful for any Examiner to act in the Place of the Recorder of Titles during his temporary Absence.

Chief and other Clerks to transact such Business as the Judges may direct.

10. The Chief Clerk, Second Clerk, and Junior Clerk now attached to the Court and Chambers of the said Judge Hargreave (deceased) shall be employed as the Judges may direct in the Business of the Court, and any or either of them may be transferred to the Record of Title Office, or to some other suitable Office in the Court, but no such Employment or Transfer shall involve any Decrease of annual Salary to the said Officers or either of them.

Power to consolidate the Offices of Registrar and Recorder of Titles.

11. When any Vacancy shall occur in the Office of Registrar of the Court, or in the Office of Recorder of Titles, if it shall appear to the Judges that such Offices can be conveniently united, they shall certify the same to the Lord Lieutenant, who may thereupon by his Warrant unite the said Offices, and thenceforward the said Offices shall be filled by the same Person at the Salary herein-before appointed for the Recorder of Titles; and after such Union shall have taken place all future Appointments to the joint Office shall be made by Warrant of the Lord Lieutenant on the joint Recommendation of the Judges of the Court, or, in default of such Recommendation, by the Lord Lieutenant at his Pleasure.

Messengers, &c. to hold during Pleasure.

12. Every Tipstaff, Crier, or Messenger in the Landed Estates Court shall hold his Situation at Pleasure, subject to be dismissed by Order of the Judges.

Short Title and Construction.
21 & 22 Vict. c. 72.

13. This Act may be cited for all Purposes as the "Landed Estates Court Act, 1866," and in construing it the same Meanings shall be assigned to Words as were assigned to them by the said recited Act of the Twenty-first and Twenty-second Years of the Reign of Her Majesty.

SCHEDULE of Duties to be payable in respect of Sales, Declarations of Title, Partitions, Exchanges, and Divisions of Land to be made by Order of the Landed Estates Court.

	s.	*d.*
1. If the Value of the Estate sold, or of which the Title shall be judicially declared, do not exceed 10,000*l.*, then for every 100*l.* of Value a Duty (at the present Rate) of -	*10*	*0*
2. If the Value exceed 10,000*l.*, then for the First 10,000*l.* at the Rate aforesaid, and for every additional 100*l.* of Value beyond 10,000*l.* a Duty of - - - - - -	*5*	*0*
3. For every Partition, Exchange, or Division made by Order of the Court, where there is no Sale of Land, an uniform Duty in respect of every 100*l.* of Value of - -	*2*	*6*

Landed Estates Court, &c. (Ireland).

A

B I L L

To reduce the Number of Judges in the Landed Estates Court in Ireland, and to reduce the Duties payable under the Record of Title and Land Debentures Acts.

(Prepared and brought in by
Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, and Mr. Chichester Fortescue.)

Ordered, by The House of Commons, *to be Printed,*
4 *June* 1866.

[Bill 174.]

Under 1 *oz.*

Landed Estates Court, &c. (Ireland), Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clause.

Preamble recites 21 & 22 Vict. c. 72., 24 & 25 Vict. c. 123., 28 & 29 Vict. c. 88., and 28 & 29 Vict. c. 101.

1. Judges of the Court to be Two only.
2. Salaries of Judges. Clause A.
3. Rules, &c. made by Lord Chancellor and One Judge only to be valid.
4. Rates of Duty on certain Estates reduced as set out in Schedule.
5. Repeal of 29th Section of the Debentures Act: Stamp Duty on Land Debentures.
6. Appointment of Recording Examiner. Clause B.
7. Salary of Recording Examiner. Clause C.
8. Future Appointment of Recording Examiner.
9. Removal, &c. of Recording Examiner. Clause D.
10. Recording Examiners may act for each other.
11. Chief and other Clerks to transact such Business as the Judges may direct.
12. Power to consolidate the Offices of Registrar and Recording Examiner.
13. Messengers, &c. to hold during Pleasure.
14. Short Title and Construction.

Schedule of Duties.

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Reduce the Number of Judges in the Landed Estates Court in Ireland, and to reduce the Duties payable under the Record of Title and Land Debentures Acts.

Preamble.

21 & 22 Vict. c. 72.

WHEREAS an Act was passed in the Session of Parliament holden in the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, intituled "An Act to "facilitate the Sale and Transfer of Land in Ireland," whereby it was enacted that there should be Three Judges of the Landed Estates Court thereby constituted:

And whereas a Vacancy has arisen in consequence of the Demise of Charles James Hargreave, One of the said Judges, and it is not expedient, having regard to the State of the Judicial Business of the Court, that such Vacancy should be filled up:

24 & 25 Vict. c. 123.

And whereas an Act was passed in the Session of Parliament holden in the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty, intituled "An Act to reduce and alter the Rate of "Duty payable on Proceedings under the Statute of the Twenty-"first and Twenty-second Years of Victoria, Chapter Seventy-two, "Section Eighty-eight, and for other Purposes;" and it is expedient further to reduce the Rates of Duty payable in respect of the larger Estates, and in respect of Partitions, Exchanges, and Divisions of Land:

28 & 29 Vict. c. 88. and 28 & 29 Vict. c. 101.

And whereas Two Acts were passed in the last Session of Parliament, intituled respectively, the "Record of Title Act (Ireland), 1865," and the "Land Debentures (Ireland) Act, 1865," and it is expedient to reduce the Stamp Duty payable in respect of Land Debentures, and to make better Provision for carrying out the said Acts of the last Session of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Judges of the Court to be Two only.

1. There shall be Two Judges only of the Landed Estates Court, and all Powers and Authorities which might by Law be exercised by Three Judges may be exercised by the Two existing Judges of the Court, and by their Successors in Office.

CLAUSE A.
Salaries of Judges.

2. *There shall be paid to each Judge a Salary of Pounds a Year. Such Salaries shall be in lieu of the Salary provided by the first-mentioned Act, charged upon and payable out of the Consolidated Fund in the same Manner in all respects as the Salaries provided by the first-mentioned Act. The Provisions of the said Act with respect to the retiring Pensions of the Judges therein mentioned shall be applicable to the Judges of the said Court as constituted by this Act.*

Rules, &c. made by Lord Chancellor and One Judge only to be valid.

3. In the event of any Difference of Opinion arising between the Judges of the Court as to any proposed Rule, Regulation, Order, or Direction (excepting for the Removal of any Officer) in which their Concurrence may be required, it shall be lawful for the Lord Chancellor of Ireland, on such Matter being submitted to him, to determine the same; and every Rule, Regulation, Order, or Direction (except as aforesaid), when signed by the Lord Chancellor and by One of the said Judges, shall thereupon be as valid and binding for all Purposes as though such Rule, Regulation, Order, or Direction had been signed by both of the said Judges.

Rates of Duty on certain Estates reduced as set out in Schedule.

4. The several Duties set out in the Schedule hereto shall be levied and paid in lieu of those now payable; and so much of the said recited Act of the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty as imposes higher Rates of Duty than those set out in the Schedule hereto is hereby repealed.

5. The

Repeal of 29th Section of the Debentures Act: Stamp Duty on Land Debentures.

5. The Twenty-ninth Section of "The Land Debentures (Ireland) Act, 1865," is hereby repealed, and no Certificate under that Act shall be deemed to be a Deed within the Meaning of the Stamp Acts. A Debenture under the said Act shall be deemed to be a Mortgage for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage, and the Court shall frame and promulgate such Rules and Directions as it shall consider expedient for securing the Payment of the Transfer Duty: Provided that where on the original making and issuing of any Debenture the same shall be stamped with a Duty of Four Shillings for every Hundred Pounds and also for any fractional Part of One hundred Pounds of the Principal Money thereby secured, then every Transfer thereafter made of such Debenture shall be exempt from the Stamp Duty which would otherwise be payable in respect of the Transfer.

Clause B. Appointment of Recording Examiner.

6. And whereas by Section Sixty-two of the Record of Title Act (Ireland), One thousand eight hundred and sixty-five, it is enacted, that the Record shall be under the Management of the following principal Officers of the Landed Estates Court; videlicet, the Examiners and the Registrar, or of such One of them as the Judges shall from Time to Time direct, and in case of his Absence the Judges shall appoint One other of the said Officers to supply his Place; and the Judges shall adjust the Duties now performed by the said Officers in such Manner as may appear expedient for the Purposes aforesaid, and shall so arrange the same that some One of the said Officers shall be in attendance daily (except as aforesaid) throughout the Year; *and there shall be paid to such Officers or any of them, or to any other Officer or Clerk of the Court whose Duties shall be increased by the Operation of this Act, such Sum by way of increased annual Salary as the Commissioners of Her Majesty's Treasury shall approve, on the Recommendation of the said Judges:* Be it enacted, That Richard Denny Urlin, Barrister-at-Law, the Examiner of the late Judge Hargreave, deceased, shall so long as he shall continue to be an Examiner of the Court be employed under and by the Judges of the Court in the Management of the Record of Title, and of the Record of Title Office, and shall be styled "The Recording Examiner" of the Court.

Clause C. Salary of Recording Examiner.

7. *There shall be paid to the Recording Examiner of the Court, in addition to his Salary as One of the Examiners of the Court, and as a Compensation for his increased Duty during Vacations, a Sum of Two hundred Pounds a Year, payable out of the Funds to be provided by Parliament for the Expenses of the Court.*

Future Appointment of Recording Examiner.

8. When any Vacancy shall occur in the Office of Recording Examiner, it shall be lawful for the Lord Lieutenant of Ireland by Warrant on the joint Recommendation of the Judges of the Court, or in default of such joint Recommendation at his own Discretion, to appoint thereto a fit Person, being a Barrister-at-Law or Solicitor of at least Ten Years standing, or having filled some Office or Offices in the Landed Estates Court for Ten Years.

CLAUSE D.
Removal, &c. of Recording Examiner.

9. The said Richard Denny Urlin, and every Recording Examiner hereafter to be appointed, shall be removeable in the same Manner and for the same Cause, and shall be entitled to the like retiring Allowance, and upon the same Conditions, and payable out of the same Funds, as the Registrar or Taxing Officer of the Court under the said first-mentioned Act.

Recording Examiners may act for each other.

10. The Recording Examiner shall, either for the Purpose of winding up the Business now pending in the Chambers of the said Charles James Hargreave, or otherwise, discharge the ordinary Duties of an Examiner when directed by the Judges of the Court; and it shall be lawful for any Examiner to act in the Place of the Recording Examiner during his temporary Absence.

Chief and other Clerks to transact such Business as the Judges may direct.

11. The Chief Clerk, Second Clerk, and Junior Clerk now attached to the Court and Chambers of the said Judge Hargreave (deceased) shall be employed as the Judges may direct in the Business of the Court, and any or either of them may be transferred to the Record of Title Office, or to some other suitable Office in the Court, but no such Employment or Transfer shall involve any Decrease of annual Salary to the said Officers or either of them.

Power to consolidate the Offices of Registrar and Recording Examiner.

12. When any Vacancy shall occur in the Office of Registrar of the Court, or in the Office of Recording Examiner, if it shall appear to the Lord Lieutenant on Communication with the Judges that such Offices can be conveniently united, the Lord Lieutenant may thereupon by his Warrant unite the said Offices, and thenceforward the said Offices shall be filled by the same Person at the Salary of the Recording Examiner.

Messengers, &c. to hold during Pleasure.

13. Every Tipstaff, Crier, or Messenger in the Landed Estates Court shall hold his Situation at Pleasure, subject to be dismissed by Order of the Judges.

Short Title and Construction.

14. This Act may be cited for all Purposes as the "Landed Estates Court Act, 1866," and in construing it the same Meanings shall be assigned to Words as were assigned to them by the said recited Act of the Twenty-first and Twenty-second Years of the Reign of Her Majesty.

21 & 22 Vict. c. 72.

SCHEDULE of Duties to be payable in respect of Sales, Declarations of Title, Partitions, Exchanges, and Divisions of Land to be made by Order of the Landed Estates Court.

	s.	*d.*
1. If the Value of the Estate sold, or of which the Title shall be judicially declared, do not exceed 10,000*l.*, then for every 100*l.* of Value a Duty (at the present Rate) of -	10	0
2. If the Value exceed 10,000*l.* and does not exceed 25,000*l.* - - - - - - - -	5	0
3. If the Value exceed 25,000*l.*, then for every 100*l.* of Value a Duty of - - - - - - -	2	6
4. For every Partition, Exchange, or Division made by Order of the Court, where there is no Sale of Land, an uniform Duty in respect of every 100*l.* of Value of - -	2	6

Landed Estates Court, &c. (Ireland).

A

B I L L

[AS AMENDED IN COMMITTEE]

To reduce the Number of Judges in the Landed Estates Court in Ireland, and to reduce the Duties payable under the Record of Title and Land Debentures Acts.

(Prepared and brought in by
Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, and Mr. Chichester Fortescue.)

Ordered, by The House of Commons, *to be Printed,*
23 *July* 1866.

[Bill 234.]

Under 1 *oz.*

A

B I L L

TO

Authorize a further Advance of Money for the Purposes of Improvement of Landed Property in Ireland.

Preamble.
10 & 11 Vict. c. 32.
12 Vict. c. 23.
12 & 13 Vict. c. 59.
13 & 14 Vict. c. 31.

WHEREAS an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty Queen Victoria, intituled "An Act "to facilitate the Improvement of Landed Property in Ireland;" and a further Act was passed in the Session of Parliament held in the Twelfth Year of the Reign of Her said Majesty, intituled "An "Act to authorize further Advances of Money for the Improvement of Landed Property and the Extension and Promotion "of Drainage and other Works of public Utility in Ireland;" and a further Act was passed in the Session of Parliament held in the Twelfth and Thirteenth Years of the Reign of Her said Majesty, intituled "An Act to amend an Act of the Tenth "Year of Her Majesty for facilitating the Improvement of Landed "Property in Ireland;" and a further Act was passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her said Majesty, intituled "An Act to authorize "further Advances of Money for Drainage and the Improvement "of Landed Property in the United Kingdom, and to amend the "Acts relating to such Advances;" and a further Act was passed in

13 & 14 Vict. c. 113.
15 & 16 Vict. c. 34.
23 Vict. c. 19.
25 & 26 Vict. c. 29.

in the said last-mentioned Session of Parliament, intituled "An Act "to authorize the Transfer of Loans for the Improvement of Land in Ireland to other Land;" and a further Act was passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of the Reign of Her said Majesty, intituled "An Act to extend the Act to facilitate the "Improvement of Landed Property in Ireland, and the Acts amending the same, to the Erection of Scutch Mills for Flax in Ireland;" and a further Act was passed in the Session of Parliament held in the Twenty-third Year of the Reign of Her said Majesty, intituled "An Act to extend the Act to facilitate the Improvement of Landed "Property in Ireland, and the Acts amending the same, to the "Erection of Dwellings for the Labouring Classes in Ireland;" and a further Act was passed in the Session of Parliament held in the Twenty-fifth and Twenty-sixth Years of the Reign of Her said Majesty, intituled "An Act to amend and enlarge the Acts for "the Improvement of Landed Property in Ireland:"

And whereas great Benefit has been derived by means of Loans under the said Acts, and it is expedient to authorize the Advance of a further Sum of Money for the Purposes of the said Acts, and to extend the Objects for which such Loans may be made, and to perpetuate such of the Powers and Provisions of the said Acts as are terminable:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners of Treasury may issue One Million Pounds for the Purposes of the Acts.

1. That it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to Issue and Advance, out of the growing Produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland (in addition to the Sums heretofore authorized to be advanced), such further Sum or Sums of Money, not exceeding in the whole the Sum of *One Million Pounds*, as may be required for the Purposes of the said recited Acts and this Act.

The Commissioners of Public Works may make Advances to such Amounts as may be sanctioned.

2. That notwithstanding anything in the said Act of Thirteenth and Fourteenth of Her Majesty, Chapter Thirty-one, or other of the said Acts, to the contrary, it shall be lawful for the Commissioners of Public Works in Ireland, with the Sanction of the Commissioners of Her Majesty's Treasury, out of the aforesaid Moneys, to make Loans to any Owner of Lands in Ireland, for the Purposes of the said recited Acts and this Act, of such Sums and to such Amounts, at such Times and in such Manner, as the said Commissioners of Public Works, with the Sanction of the Commissioners of the Treasury, may think right and proper.

3. That, in addition to the Purposes for which Loans may be made under the Provisions of the said recited Acts, it shall be lawful for the Commissioners of Public Works, in such Cases as they may judge expedient for the Promotion of Agriculture or the Improvement of Lands, and subject to such Rules and Regulations as may from Time to Time be made by the Commissioners of Her Majesty's Treasury, to make Loans for the following Purposes, that is to say:

Additional Purposes for which Loans may be made.

The building or enlarging Farm Dwelling Houses in connexion with Farm Offices and Buildings erected or to be erected:

The Erection and Improvement (by means of Repairs, Alterations, or Additions) of Dwelling Houses for Labourers:

Planting for Shelter:

The Execution of all such Works as in the Judgment of the Commissioners may be necessary for carrying into Effect any Matter or Object herein-before, or in the said recited Acts or any of them mentioned, or for deriving the full Benefit thereof.

English Act, 1864.

4. All the Powers, Provisions, Matters, and Things in the said Acts, or any of them, contained or referred to, and relating to the Security for and Repayment of Loans under the Provisions of the same, shall apply to all Loans duly authorized to be made under this Act.

Provisions of former Acts to apply.

5. This Act and the Acts herein-before recited or referred to shall be read together and construed as one Act, save so far as the Provisions of this Act may be inconsistent with the Provisions of the aforesaid Acts or any of them.

This and recited Acts to be construed as One Act.

Landed Property Improvement (Ireland).

A

BILL

To authorize a further Advance of Money for the Purposes of Improvement of Landed Property in Ireland.

(Prepared and brought in by
Mr. Dodson, Mr. Childers, and Mr. Chancellor of the Exchequer.)

Ordered, by The House of Commons, *to be Printed,*
20 *April* 1866.

[Bill 118.]

Under 1 *oz.*

Landlord and Tenant (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

As to Constructive or Parol Tenancies in respect of Land let for Agricultural Purposes.

Clause.

1. In future a Tenancy from Year to Year in respect of Agricultural Land shall only be created by an Agreement in Writing.

2. In the Absence of any written Contract to the contrary a Tenancy created after the passing of this Act of Agricultural Land shall be deemed to be a Tenancy for *Twenty-one* Years.

3. Such Construction of Law not to apply to a Tenant overholding after the Expiration of his Lease unless left in undisturbed Possession of his Farm for *Two* Years after such Expiration.

4. For *Two* Years after the Expiration of his Lease an overholding Tenant may be treated as a Tenant at Will notwithstanding an implied Creation of a New Tenancy but subject to certain Restrictions.

5. In the Case of a Constructve Tenancy for *Twenty-one* Years either Party may during the Tenancy compel a Lease to be executed for the unexpired Term.

6. Such Lease to contain the usual Covenants, and none other, and any Dispute respecting it to be settled by the Chairman of the County in which the Lands are situate.

As to Tenancies from Year to Year of Land let for Agricultural Purposes.

7. To determine a Tenancy from Year to Year of Agricultural Land Twelve Months Notice shall be necessary.

8. Tenants from Year to Year of Agricultural Land, whose Tenancy shall be created after the passing of this Act, shall be entitled to deduct Half the County Cess.

9. In Cases of Tenancies from Year to Year of such Land the Landlord shall not be entitled to distrain or to claim a Year's Rent under 9 Anne c. 8. (Ir.)

10. A Tenant from Year to Year of Agricultural Land, if dispossessed shall be entitled to Compensation for growing Crops and unexhausted Manure.

11. And also to Compensation for his Tenant-right in certain Cases.

12. Such Compensation to be recovered by Civil Bill and to be a Charge on the Farm from which the Tenant shall be dispossessed in addition to the ordinary Remedies for its Recovery.

As to who may grant and as to the Effect of Leases for Twenty-one Years of Agricultural Land.

13. Every Landlord may grant a Lease for Twenty-one Years of Agricultural Land except a Landlord who is only a Lessee.

14. Such Lease shall be valid against the Grantor, and any future Owner of the Land, and all other Persons interested in it, except in certain Cases.

15. If Landlord evicted for Defect of Title, within *Two* Years after the making of such Lease, Lease to be voidable at Election of new Landlord.

16. A Successor to a limited Owner may object to such Lease for not having had reserved the best Rent, and in that Case the Chairman may increase the Rent, and the Tenant shall pay the increased Rent or the Lease shall be void.

17. Landed Estates Court may set aside or amend such Lease in certain Cases.

18. Leases for Twenty-one Years not to be subject to Stamp Duty.

As to Tenancies under Leases for Twenty-one Years of Agricultural Land.

19. Lessee for Twenty-one Years not to subdivide or sublet without Consent in Writing.

20. If Lessee does he shall be liable to a Penalty of *Two* Pounds an Acre for each Acre he parts possession of.

21. Lessee subletting without Consent incapable of recovering Rent from Sub-tenant, and Sub-tenant or other Person may recover back from Tenant any Money paid in advance as Consideration for any Subdivision or Subletting.

22. The Letting of Conacre, or Grazing or Meadowing, not to be deemed Subletting or Subdivision.

23. In case of an Eviction for Nonpayment of Rent of a Lease for Twenty-one Years, Tenant to have only *Three* Months to redeem.

24. Landlord not to be liable to account for the Profits of Land during the Period allowed for Redemption.
25. A Twenty-one Years Lease shall not operate as an outstanding legal Estate.

As to Rent and Recovery of Rent of Agricultural Land.

26. After Six Years all Arrears of Rent to be barred.
27. Grazing Stock not to be liable to Landlord's Distress beyond the Amount of the Grazing Money unless in case of Fraud.
28. Household Furniture not to be seized for Agricultural Rent, and Implements of Husbandry, imported Manure, and Materials for building or draining to be also exempt from Distress for Rent.

General Provisions.

29. Act not to apply to Demesne Lands or Land in Boroughs, or to Holdings under £4 annual Value.
30. Chairmen of Counties to make Rules and frame Forms.
31. Short Title of Act.

A

BILL

TO

Regulate and improve the Tenure of Land in Ireland between Landlord and Tenant.

Preamble.

WHEREAS Certainty and Security of Tenure is the best Encouragement to honest Industry and the Application of Capital and Labour in the Cultivation of Land:

And whereas the Land of Ireland let for Agricultural Purposes is in a great measure held by the Occupying Tenants thereof as Tenants from Year to Year, or for other uncertain Period, who have thus no Security for the Continuance of their Possession, or Certainty for the Enjoyment of the Fruit of their Labour:

And whereas it is expedient to induce Proprietors to give to Tenants in Ireland a more permanent Occupation of their Farms, by discouraging Tenancies from Year to Year, or for other uncertain Periods, and encouraging Tenancies, under Contracts in Writing, for fixed Terms of Years:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to Constructive or Parol Tenancies in respect of Land let for Agricultural Purposes.

In future a Tenancy from Year to Year in respect of Agricultural Land shall only be created by an Agreement in Writing.

1. From and after the passing of this Act, no Tenancy from Year to Year shall be created in respect of any Land let for Agricultural Purposes by Parol Agreement or by Construction or Operation of Law.

In the Absence of any written Contract to the contrary, a Tenancy created of Agricultural Land after the passing of this Act shall be deemed to be a Tenancy for Twenty-one Years.

2. Every occupying Tenant of Land let for Agricultural Purposes after the passing of this Act, who, but for the passing of this Act, would by Construction or Operation of Law be deemed to be a Tenant from Year to Year of the said Land, shall, in the Absence of any Contract in Writing fixing the Tenure for any other Period, be deemed to hold said Land as Tenant thereof under an Agreement for a Lease for the Term of *Twenty-one* Years from the Date of the Commencement of his Tenancy, in case the Party under whom he holds the Land shall have Power to make such Lease, and in case he shall not have such Power, under an Agreement for a Lease for such lesser Period as such Person shall have Power to grant.

Such Construction of Law not to apply to a Tenant overholding after the Expiration of his Lease, unless left in undisturbed Possession of his Farm for Two Years after such Expiration.

3. Nothing in the last Section contained shall extend to any Tenant who shall overhold any Farm or Land after the Expiration of his Lease, unless he shall be permitted to occupy his said Farm or Land as Tenant thereof for a Period of *Two* Years after the Expiration of his Lease without any Demand of Possession in Writing, as herein-after provided.

For Two Years after the Expiration of his Lease and overholding, Tenant may be treated as a Tenant at Will, notwithstanding an implied Creation of a new Tenancy, but subject to certain Restrictions.

4. Notwithstanding Receipt of Rent or other implied Creation of a new Tenancy, any Landlord may recover Possession of any Farm or Land overheld by any Tenant after the Expiration of his Lease at any Period within *Two* Years from the Expiration of the Lease, on Proof of a Demand of Possession of said Farm or Land; but no Demand of Possession of any Farm or Land shall be valid if a Tenant shall be left in possession thereof for a Period of Six Months or upwards after the Expiration of his Lease, unless such Demand of Possession shall be in Writing, and signed by the Landlord or his known Agent or Receiver; and in case a Tenant shall be left in possession of his Farm or Land for *Six* Months or upwards after the Expiration of his Lease, he shall not be bound to deliver Possession thereof on a Demand of Possession until the last Gale Day of the current Year in which such Demand of Possession shall be made.

In the Case of a Constructive Tenancy for Twenty-one

5. At any Time during the Continuance of the Tenancy created by the Second Section of this Act, the Landlord shall be bound to grant, and the Tenant shall be bound to accept, a Lease to the Effect in said Section mentioned, on being required so to do by Notice in Writing served by the Party requiring the same; and a Notice for that Purpose, signed on or by the known Agent or Receiver of any Landlord, shall be sufficient Service on or by the Landlord, in case the Landlord shall not reside in Ireland, or shall be absent therefrom for a Period exceeding *Six* Months.

Years, either Party may during the Tenancy compel a Lease to be executed for the unexpired Term.

6. Such Lease shall contain the usual Covenants between Landlord and Tenant, and no other; and in case of any Dispute as to the Execution of or the Terms of said Lease, the same shall be decided by the Chairman of the County or Riding in which said Lands shall be situate, subject to the same Right of Appeal as ordinary Civil Bill Actions from Time to Time may be.

Such Lease to contain the usual Covenants, and none other, and any Dispute respecting it to be settled by the Chairman of the County in which the Land shall be situate.

As to Tenancies from Year to Year of Land let for Agricultural Purposes.

7. From and after the passing of this Act, no Notice to quit for for a less Period than *Twelve* Months shall be valid to determine any Tenancy from Year to Year created before or after the passing of this Act of or in any Land let for Agricultural Purposes.

To determine a Tenancy from Year to Year of Agricultural Land, Twelve Months Notice shall be necessary.

8. Every Tenant of Land let for Agricultural Purposes, after the passing of this Act, for any Term not greater than a Tenancy from Year to Year shall be entitled to deduct from each Pound of the Rent which he shall be liable to pay for the same One Half of the Sum which he shall have paid as County Cess in respect of each Pound of the net annual Value thereof, and so in proportion for any Sum less than a Pound.

Tenants from Year to Year of Agricultural Land whose Tenancy shall be created after the passing of this Act shall be entitled to deduct Half the County Cess.

9. The Right of Distress shall not attach to any Rent payable in respect of Land let for Agricultural Purposes held under a Tenancy from Year to Year, nor shall any Landlord in respect of such Rent be entitled to or have any Benefit or Priority for the same against an Execution Creditor who may seize under his Execution a Tenant's Goods lying on the Land demised.

In Cases of Tenancy from Year to Year, the Landlord shall not be entitled to distrain, or to claim a Year's Rent, under 9 Anne, c. 8. (Ir.)

10. When any Land let for Agricultural Purposes shall at any Time after the passing of this Act be in the Possession of any Tenant having no greater Interest therein than as Tenant from Year to Year, and such Tenancy shall be determined by Notice to quit served by the Landlord, the Tenant shall be entitled to a fair Compensation for any Crops which may be growing on the Lands from which he shall be dispossessed under said Notice, and for any Benefit arising from any Manure by him laid out on the Land which may be unexhausted at the Time of his Dispossession.

A Tenant from Year to Year if, dispossessed by Notice to quit, shall be entitled to Compensation for growing Crops and unexhausted Manure.

And also to Compensation for his Tenant-right, in certain Cases.

11. In addition to such Compensation, such last-mentioned Tenant shall also be entitled to Compensation for any Allowance which according to Custom would be made to him by any incoming Tenant in any County or Part of a County in which such Custom exists, and in Counties or Parts of Counties in which no such Custom exists he shall be entitled to Compensation for any Loss or Injury he may sustain by reason of being deprived of the Possession of said Land, in case he shall have been in possession of said Land for *Five* Years at the least, and shall from Time to Time have paid all Rent due, and managed, tilled, and used said Land in the due Course of Husbandry, so as not to have injured or deteriorated the same while in his Tenancy.

Such Comsation to be recovered by Civil Bill, and to be a Charge on the Farm from which the Tenant shall be dispossessed, in addition to the ordinary Remedies for its Recovery.

12. Any Compensation which any Tenant shall be entitled to under the Two last-mentioned Sections of this Act shall be recoverable from his Landlord by Civil Bill Process before the Chairman of the County or Riding in which the Land shall be situate, subject to the same Right of Appeal as ordinary Civil Bill Actions now are or hereafter shall be; and any Decree made by a Chairman of a County or a Judge on Appeal in respect of any such Compensation shall, in addition to other Remedies for the Recovery of the same, operate as a Charge on the Farm or Land from which such Tenant shall be dispossessed in the same Priority as any Charge created under any Act authorizing an Advance of public Money for Improvement of Land would rank in case such Money were to be advanced on such Farm or Land, and in case such Money shall have been advanced on such Farm or Land, next immediately after such Charge; and such Decree shall be assignable by the Tenant who shall obtain the same; and the Assignee may sue for and recover the same in his own Name in all respects and in the same Way as the Tenant could have done if he had not assigned the same.

As to who may grant and as to the Effect of Leases for Twenty-one Years of Agricultural Land.

Every Landlord may grant a Lease for Twenty-one Years of Agricultural Land, except a Landlord who is only a Lessee.

13. In addition to the Persons now by Law entitled to make such Leases, every Person in possession or receipt as Landlord thereof of the Rents or Profits of any Land shall have Power to make Leases in possession, and not in reversion, of such Land, for Agricultural Purposes, for the Term of *Twenty-one* Years, unless such Person shall be only a Lessee himself, and in that Case no Lease made by him shall continue after the Term granted by his Lease.

Such Lease shall be valid against the Grantor and every future Owner of the

14. Every Lease for Twenty-one Years granted in pursuance of this Act shall be valid, not only against the Party granting the same, but also against all Persons whatsoever interested in or entitled to [illegible] or claiming to be interested in or entitled to said Land, upon or at the Time of or subsequent to the making of said Lease, unless the same shall be impeached in manner herein-after mentioned.

Land, and all other Persons interested, except in certain Cases.

15. If within *Two* Years after the making of any Lease for Twenty-one Years, the Person making the same shall be evicted from the Possession of the Rents and Profits of the Lands which he so leased for Defect of Title existing at the Time of the making of the Lease, or if within the said Period of *Two* Years Proceedings grounded on said Defect of Title shall have been commenced against such Person, on which Possession shall be afterwards recovered, the Party recovering Possession of said Lands may, at his Discretion, treat the Tenant as holding under the said Lease, or as Tenant from Year to Year only; but in case the Party recovering Possession of said Lands shall not within *Six* Months after his so recovering Possession of said Lands, by Notice in Writing served on the Tenant, elect to treat him as Tenant from Year to Year, the Lease under which the Tenant held previous to said Recovery shall be deemed to be valid and subsisting to all Intents and Purposes.

If Landlord evicted for Defect of Title within Two Years after the making of such Lease, Lease to be voidable, at Election of new Landlord.

16. Any Successor of any limited Owner may object to any Lease made by such limited Owner for Twenty-one Years, on the Ground that such limited Owner did not at the Time of the making of such Lease reserve the best Rent that could be reasonably got for the same, without getting any Fine or Foregift; and in such Case such Successor may apply to the Chairman of the County in which such Lands are situate to increase the Rent reserved in such Lease to what he may allege should have been the proper Rent, and such Application shall be heard and determined as an ordinary Civil Bill; and in case the Chairman or Judge on Appeal shall, on hearing the Case, decree that the Rent shall for the future be increased, the Tenant shall, within such Time as the Chairman or Judge shall appoint, produce to the Clerk of the Peace his Lease, and the Clerk of the Peace shall alter the reserved Rent to the Amount mentioned in the Decree of the Chairman or Judge, as the Case may be; and the Tenant shall be bound to pay such increased Rent during the Continuance of his Lease, and in case he shall fail to produce his Lease for Alteration within the Time limited as aforesaid the Lease shall be void.

A Successor to a limited Owner may object to a Lease for not having reserved the best Rent, and in that Case Chairman may recover the Rent, and the Tenant shall pay recovered Rent, or Lease shall be void.

17. In any Proceeding pending for the Sale of Land in their Court, the Judges of the Landed Estates Court may set aside any Lease for Twenty-one Years granted in pursuance of this Act, and sell the Land discharged of such Lease, or, at the Option of the Tenant, increase the Rent payable under said Lease, in case, on the

Landed Estates Court may set aside or amend such a Lease, in certain Cases.

the Application of any Party interested in said Land except the Grantor of the Lease, the Court shall be of opinion that such Lease was not *boná fide* made, but was made at a low Rent collusively with the Tenant, for the Purpose of defeating or injuring Creditors or other Parties interested in said Land.

Lease for Twenty-one Years not to be subject to Stamp Duty.

18. No Lease for Twenty-one Years, or Counterpart thereof, of Land let for Agricultural Purposes, shall be liable to any Stamp Duty.

As to Tenancies under Leases for Twenty-one Years of Agricultural Land.

Lessee for Twenty-one Years not to subdivide or sublet, without Consent in Writing.

19. In the Absence of any Provision in the Lease authorizing the same, it shall not be lawful for any Tenant holding any Agricultural Land under any Lease for *Twenty-one* Years to subdivide or sublet his Land, without the Consent in Writing of his Landlord or of his known Agent or Receiver.

If Lessee does, he shall be liable to a Penalty of 2*l.* an Acre for each Acre he parts possession of.

20. In case any Tenant holding under such Lease as last aforesaid shall subdivide or sublet his Land, without such Consent as aforesaid, he shall be liable to pay to his Landlord, once in every Year in which any Subdivision or Subletting may be made or continued, in addition to his Rent, a Penalty of *Two* Pounds for each Statute Acre or fractional Part of an Acre which he shall sublet to or allow to be occupied by any other Party, and such Penalty shall be recoverable by the Landlord of the Land in a summary Way before Two Justices of the County in which the Land shall be situate, under "The Petty Sessions (Ireland) Act, 1851," or any Act amending the same.

And cannot recover Rent from any Sub-tenant, and Sub-tenant or other Person may recover back from Tenant any Money paid in Advance as Consideration for any Subdivision or Subletting.

21. No Rent shall be recoverable from a Sub-tenant by any Tenant holding under such Lease as last aforesaid who shall sublet his Land without such Consent as aforesaid; and in case of any Payment made in consideration of any Subdivision or Subletting of such Land without such Consent, the Party making such Payment shall be entitled to recover back from the Tenant to whom he paid the same the Money he so paid, notwithstanding that he may have occupied or used the Land for the Occupation of which the Money was paid, and any Agreement not to do so shall be void.

The Letting of Conacre, or Grazing or Meadowing, not to be deemed Subletting or Subdivision.

22. No Letting by Conacre, or taking in of Stock to be fed or grazed on the Farm, or Letting of Meadow or Grazing for a Period not exceeding Six Months, shall be deemed to be a Subletting or Subdividing within the Meaning of this Act.

23. *Three* Months shall be the Limit of the Period for the Redemption of a Lease for Twenty-one Years evicted for Nonpayment of Rent; and in case within *Three* Months after the Landlord shall be put in possession of any Premises held under a Lease for Twenty-one Years, and evicted for Nonpayment of Rent, the Tenant shall not redeem the same in manner as is now by Law required to be done within Six Months, the Tenant, and all Persons claiming under him shall be barred and foreclosed from all Right under said Lease, and the Landlord shall from henceforth hold the demised Premises discharged from such Lease.

In case of an Eviction for Nonpayment of Rent of a Lease for Twenty-one Years, Tenant to have only Three Months to redeem.

24. No Landlord shall be liable on Redemption by any Tenant holding under a Lease for Twenty-one Years to account to such Tenant for what he shall or may or could without wilful Default have made of the Land of which he shall be in possession after the Eviction, and pending the Redemption of such Lease.

Landlord not to be liable to account for the Profits of Land during the Period allowed for Redemption.

25. A Lease for Twenty-one Years shall not operate as an outstanding legal Estate to defeat the Right of any Party to maintain an Ejectment for the Recovery of any Land, but the Party recovering in said Ejectment shall not be entitled to the Land, but only to the Rent reserved for the Lease during the Continuance thereof, unless he shall entitled to impeach the same as herein-before provided.

A Twenty-one Years Lease shall not operate as an outstanding legal Estate.

As to Rent and Recovery of Rent of Agricultural Land.

26. No Proceeding at Law or Equity shall be maintainable to recover any Rent due or in arrear for more than Six Years before the Commencement of such Proceedings, whether the same be reserved by Deed or not.

After Six Years all Arrears of Rent to be barred.

27. When any Tenant shall *bonâ fide* take in Stock to be grazed or fed on his Farm and such Stock shall be seized as a Distress for the Rent of said Farm, such Stock shall only be liable to the Extent of the Consideration agreed to be paid by the Owner thereof to the Tenant, and no further: Provided always, that the Consideration so agreed to be paid shall be a fair and *bonâ fide* Consideration, and while such Stock or any Portion thereof shall remain on the Farm, the Liability of such Stock or Portion thereof shall continue to the Landlord of the Farm for the whole Consideration agreed upon to be paid, although the Owner of such Stock may have paid the same to the Tenant of the Farm.

Grazing Stock not to be liable to Landlord's Distress, beyond the Amount of the Grazing Money, unless in case of Fraud.

Household Furniture not to be seized for Agricultural Rent, and Implements of Husbandry, imported Manure, and Materials for building or draining, to be also exempt from a Distress for Rent.

28. Under a Distress for Rent of an Agricultural Farm it shall not be lawful to take or seize the Household Furniture of any House on the Land, nor shall it be lawful to take or seize any Agricultural Implements or imported Manure found on said Lands, or any Materials for building or draining, not being the Produce of of the Farm, or used on the Farm at the Time of the Seizure.

General Provisions.

Act not to apply to Demesne Lands or Land in Boroughs, or Holdings under £4 annual Value.

29. Nothing in this Act contained shall affect any Demesne Lands, or any Land let for Agricultural Purposes within the Boundary of any Municipal Borough, or any Holding the net annual Value whereof shall not exceed *Four* Pounds.

Chairmen of Counties to make Rules and frame Forms.

30. Forms, Rules, and Regulations for carrying out this Act, so far as the same is within their Jurisdiction, shall from Time to Time be made by the Chairmen of the several Counties in Ireland, and such Forms, Rules, and Regulations shall be framed and made in the same Manner as the same are directed to be made by Chairmen of Counties under "The Landed Property (Ireland) Improvement Act, 1860," for and in respect of Proceedings and Matters in their Courts under that Act.

Short Title of the Act.

31. This Act shall be cited for all Purposes as "The Land Tenure (Ireland) Act, 1866."

Landlord and Tenant (Ireland).

A

BILL

To regulate and improve the Tenure of Land in Ireland between Landlord and Tenant.

(*Prepared and brought in by*
Sir Colman O'Logan and Mr. Gregory.)

Ordered, by The House of Commons, *to be Printed,*
12 *June* 1866.

[Bill 190.]

Under 2 *oz.*

A

BILL

INTITULED

An Act for amending the Law relating to Murder, and for giving further Protection to new-born Children, and for altering the Manner in which Capital Sentences are carried into execution, in England and Ireland.

[Note.—*The Words printed in Red Ink are proposed to be inserted in Committee.*]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I.—PRELIMINARY.

Short Title.

1. This Act may be cited as The Law of Capital Punishment Amendment Act, 1866.

Extent of Act.

2. This Act shall not extend to Scotland.

Repeal of Enactments.

3. The Enactments described in the First Schedule to this Act are hereby repealed.

II.—MURDER.

No Person shall be convicted of Murder

4. No Person shall on any Indictment or Inquisition be convicted or be deemed guilty of Murder, unless the Jury by whom unless Jury be satisfied of Intent to kill, &c.

he is tried shall be satisfied that he intended to kill or do grievous bodily Harm dangerous to Life to the Person killed, or to kill or do grievous bodily Harm dangerous to Life to any Person whomsoever.

On Indictment for Murder, Verdict of Manslaughter.

5. Any Person charged on any Indictment or Inquisition with Murder may be found guilty of Manslaughter if the Evidence does not warrant a Conviction for Murder.

Law as to Principals and Accessories not to be affected.

6. Nothing herein contained shall alter or affect the Law as to Principals and Accessories.

Nothing herein to affect the Meaning of the Word Murder in 6 & 7 Vict. cc. 75, 76. and 25 & 26 Vict. c. 70.

7. And whereas by an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Seventy-five, Provisions were made for giving Effect to a certain Convention therein referred to between Her Majesty and the King of the French for the Apprehension and delivery up of Offenders charged with certain Crimes therein mentioned, including among other Crimes the Crime of Murder; and by another Act passed in the same Session of Parliament, Chapter Seventy-six, Provisions were made for giving Effect to the Tenth Article of a Treaty between Her Majesty and the United States of America therein referred to for the Apprehension and delivery up of Offenders charged with certain Crimes therein mentioned, including among other Crimes the Crime of Murder; and whereas by another Act passed in the Session of Parliament holden in the Twenty-fifth and Twenty-sixth Years of the Reign of Her present Majesty, Chapter Seventy, Provisions were made for giving Effect to a certain Convention therein referred to between Her Majesty and the King of Denmark for the mutual Surrender of Criminals charged with or convicted of, among other Crimes, the Crime of Murder: Now therefore, be it enacted, That nothing in this Act contained shall be deemed to alter or affect the Meaning of the Word Murder in the said Acts or any of them, or in the Conventions or Treaty therein referred to, but that all Persons charged with or convicted of what, if this Act had not passed, would have amounted to Murder, or an Attempt to commit Murder, shall be liable to be dealt with under the said Acts as if this Act had not passed.

III.—PROTECTION OF NEW-BORN CHILDREN.

Wounding of new-born Child to be Felony punishable with Penal Servitude.

8. If any Person during the Birth of a Child, or within Seven Days thereafter, unlawfully and maliciously wounds the Child or inflicts on it any grievous bodily Harm, every such Person shall be guilty of Felony, and on Conviction thereof shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for any Term not exceeding Ten Years or less than Five Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Proof of Child being born alive unnecessary.

9. On an Indictment under this Act for the Felony of wounding a Child or inflicting on it grievous bodily Harm, it shall not be necessary to prove that the Child was completely born alive.

Indictment for Murder, &c. not precluded.

10. The Provisions of this Act respecting the Felony of wounding a Child or inflicting on it grievous bodily Harm shall not preclude in any Case an Indictment for Murder or for Manslaughter or for wounding or causing grievous bodily Harm with Intent to commit Murder.

No Acquittal on Ground of Offence being Murder, &c.

11. On an Indictment under this Act for the Felony of wounding a Child or inflicting on it grievous bodily Harm, the Accused shall not be entitled to be acquitted on the Ground only that the Offence amounted to Murder or to Manslaughter or to the Felony of wounding or causing grievous bodily Harm with Intent to commit Murder.

On Trial for Murder, Conviction for wounding Child, &c.

12. If any Person tried for the Murder of a Child is acquitted thereof, the Jury may (according to the Evidence) find him or her Guilty of the Felony under this Act of wounding the Child or inflicting on it grievous bodily Harm (for which Purpose it shall not be necessary to prove that the Child was completely born alive), and thereupon the Offender shall be liable to the like Punishment as if he or she had been convicted on an Indictment for the last-mentioned Felony.

On Trial for Murder Verdict for Concealment not allowed.

13. On an Indictment for the Murder of a Child it shall not be lawful for the Jury to find the Accused guilty of the Offence of endeavouring to conceal the Birth of the Child.

IV.—EXECUTION.

Execution to be within Prison.

14. Execution of Judgment of Death shall be done within the Walls of the Prison in which the Offender is confined at the Time of Execution.

Sheriff, &c. to be present.

15. The Sheriff charged with the Execution, and the Governor, Chaplain, and Surgeon of the Prison, and such other Officers of the Prison as the Sheriff requires, shall, together with all convicted Felons then confined in such Prison, be present at the Execution: Provided always, that it shall be lawful for the Governor of the

Prison, if he shall think fit, to dispense with the Presence at the Execution of such Convicts or any of them.

Any Justice of the Peace for the County, Borough, or other Jurisdiction to which the Prison belongs, and such Persons as it seems to the Sheriff or in England to the Visiting Justices, or in Ireland to the Board of Superintendence, of the Prison proper to admit within the Prison for the Purpose, may also be present at the Execution.

Surgeon to certify Death; and Declaration to be signed by Sheriff, &c.

16. As soon as may be after Judgment of Death has been executed on the Offender, the Surgeon of the Prison shall examine the Body of the Offender, and shall ascertain the Fact of Death, and shall sign a Certificate thereof, and deliver the same to the Sheriff.

Thereupon the Sheriff and the Governor and Chaplain of the Prison, and such Justices and other Persons present (if any) as the Sheriff requires or allows, shall sign a Declaration to the Effect that Judgment of Death has been executed on the Offender.

Coroner's Inquest on Body.

17. The Coroner of the Jurisdiction to which the Prison belongs wherein Judgment of Death is executed on any Offender shall within Twenty-four Hours after the Execution hold an Inquest on the Body of the Offender, and the Jury at the Inquest shall inquire into and ascertain the Identity of the Body, and whether Judgment of Death was duly executed on the Offender; and the Inquisition shall be in duplicate, and One of the Originals shall be delivered to the Sheriff.

No Officer of the Prison or Prisoner confined therein shall in any Case be a Juror on the Inquest.

Burial of Body.

18. The Body of every Offender executed shall be buried within the Walls of the Prison within which Judgment of Death is executed on him; provided that if One of Her Majesty's Principal Secretaries of State is satisfied on the Representation of the Visiting Justices of a Prison that there is not convenient Space within the Walls thereof for the Burial of Offenders executed therein, he may, by Writing under his Hand, appoint some other fit Place for that Purpose, and the same shall be used accordingly.

Secretary of State may make Rules, &c. to be observed on Execution of Judgment of Death.

19. One of Her Majesty's Principal Secretaries of State shall from Time to Time make such Rules and Regulations to be observed on the Execution of Judgment of Death in every Prison as he may from Time to Time deem expedient for the Purpose, as well of guarding against any Abuse in such Execution as also of giving greater Solemnity to the same, and of making known without the Prison Walls the Fact that such Execution is taking place.

Such Rules to be laid before Parliament.

20. All such Rules and Regulations shall be laid upon the Tables of both Houses of Parliament within Six Weeks after the making thereof, or if Parliament be not then sitting within Fourteen Days after the next meeting thereof.

Penalty for signing false Certificate, &c.

21. If any Person knowingly and wilfully signs any false Certificate or Declaration required by this Act, he shall be guilty of a Misdemeanor, and on Conviction thereof shall be liable, at the Discretion of the Court, to Imprisonment for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Certificate, &c. to be sent to Secretary of State, and exhibited.

22. Every Certificate and Declaration and the Duplicate of the Inquisition required by this Act shall in each Case be sent with all convenient Speed by the Sheriff to One of Her Majesty's Principal Secretaries of State, and printed Copies of the same several Instruments shall be forthwith exhibited and shall for Twenty-four Hours at least be kept exhibited on or near the principal Entrance of the Prison within which Judgment of Death is executed.

Provisions as to Sheriff, &c. extended.

23. The Duties and Powers by this Act imposed on or vested in the Sheriff may be performed by and shall be vested in his Under Sheriff or other lawful Deputy acting in his Absence and with his Authority, and any other Officer charged in any Case with the Execution of Judgment of Death.

The Duties and Powers by this Act imposed on or vested in the Governor of the Prison may be performed by and shall be vested in the Deputy Governor (if any) acting in his Absence and with his Authority, and (if there is no Officer of the Prison called the Governor) by the Keeper or other Chief Officer of the Prison and his Deputy (if any) acting as aforesaid.

The Duties and Powers by this Act imposed on or vested in the Surgeon may be performed by and shall be vested in the chief Medical Officer of the Prison (if there is no Officer of the Prison called the Surgeon).

The Provisions of this Act relating to the Chaplain shall extend to and include all Officiating Ministers attached to the Prison.

Forms in Schedule.

24. The Forms given in the Second Schedule to this Act, with such Variations or Additions as Circumstances require, shall be used for the respective Purposes in that Schedule indicated, and according to the Directions therein contained.

V.—MISCELLANEOUS.

Substitute for Punishment of Death for Piracy.
7 W. 4. & 1 Vict. c. 88. ss. 1. 4.

25. So much of the Act of the Session of the Seventh Year of the Reign of King William the Fourth and the First Year of the Reign of Her Majesty (Chapter Eighty-eight), "to amend "certain Acts relating to the Crime of Piracy," is hereby repealed as imposes the Punishment of Death in any Case therein provided for, and in lieu thereof any Person by that Act made punishable with Death shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for Life, or for any Term not less than One Year, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, and with or without Solitary Confinement.

Partial Repeal of 2 G. 2. c. 25. s. 2.

26. So much of the Act of the Second Year of the Reign of King George the Second (Chapter Twenty-five) "for the more "effectual preventing and further Punishment of Forgery, Perjury, "and Subornation of Perjury, and to make it Felony to steal "Bonds, Notes, or other Securities for Payment of Money," is hereby repealed as imposes the Punishment of Death on any Person voluntarily escaping or breaking Prison in the Case therein provided for.

Incorporation of Parts of 24 & 25 Vict. c. 100.

27. The following Sections of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign (Chapter One hundred) "to consolidate and amend the Statute "Law of England and Ireland relating to Offences against the "Person" (as amended by any subsequent Act relating to Penal Servitude) are hereby incorporated with this Act, and shall be read as if they were here re-enacted, namely, Sections Sixty-six to Seventy-one (both inclusive) and Section Seventy-seven; and for this Purpose the Expression "this Act" used in those Sections shall be taken to mean the present Act.

Saving for Prerogative of Mercy.

28. Nothing in this Act shall affect Her Majesty's Royal Prerogative of Mercy.

SCHEDULES.

The FIRST SCHEDULE.

Enactments repealed.

24 & 25 Vict. c. 100. in part.	An Act to consolidate and amend the Statute Law of England and Ireland relating to Offences against the Person - - - - - - } in part, namely Section Three, and the Proviso in Section Sixty, that if any Person tried for the Murder of any Child shall be acquitted thereof, it shall be lawful for the Jury by whose Verdict such Person shall be acquitted to find, in case it shall so appear in Evidence, that the Child had recently been born, and that such Person did by some secret Disposition of the dead Body of such Child endeavour to conceal the Birth thereof, and thereupon the Court may pass such Sentence as if such Person had been convicted upon an Indictment for the Concealment of the Birth.

The SECOND SCHEDULE.

Certificate of Surgeon.

I, *A.B.*, the Surgeon [*or as the Case may be*] of the [*describe Prison*], hereby certify that I this Day examined the Body of *C.D.*, on whom Judgment of Death was this Day executed in the [*describe same Prison*]; and that on that Examination I found that the said *C.D.* was dead.

Dated this Day of .

(Signed) *A.B.*

Declaration of Sheriff and others.

We, the undersigned, hereby declare that Judgment of Death was this Day executed on *C.D.* in the [*describe Prison*] in our Presence.

Dated this Day of .

(Signed) *E.F.*, Sheriff of .
L.M., Justice of the Peace for .
G.H., Governor of .
J.K., Chaplain of .
&c. &c.

Law of Capital Punishment Amendment.

A

B I L L

INTITULED

An Act for amending the Law relating to Murder, and for giving further Protection to new-born Children, and for altering the Manner in which Capital Sentences are carried into execution, in England and Ireland.

(*Brought from the Lords* 16 *July* 1866.)

Ordered, by The House of Commons, *to be Printed,*
26 *July* 1866.

[Bill 248.]

Under 1 *oz.*

A

BILL

TO

Explain the Act of the Twentieth and Twenty-first Victoria, Chapter Eighty-five, and the Legitimacy Declaration Act, 1858.

WHEREAS Doubts have been entertained whether on Petitions for Dissolution of Marriage under the Act of the Twentieth and Twenty-first Victoria, Chapter Eighty-five, or on Petitions under "The Legitimacy Declaration Act, 1858," the Parties, or any of them, may insist on the Truth of contested Matters of Fact being determined by the Verdict of a Jury, and it is expedient to remove such Doubts: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows:

Provision as to Right to demand Trial by Jury of contested Matters of Fact.

1. It is hereby declared that on any Petition for Dissolution of Marriage under the said Act of the Twentieth and Twenty-first of Victoria, Chapter Eighty-five, and on any Petition under "The Legitimacy Declaration Act, 1858," the Parties, or any of them, are entitled as of Right to demand, and on such Demand the Court shall direct the Truth of all contested Matters of Fact shall be determined by the Verdict of a Jury.

Legitimacy Declaration, &c.

A

B I L L

To explain the Act of the Twentieth and Twenty-first Victoria, Chapter Eighty-five, and the Legitimacy Declaration Act, 1858.

(*Prepared and brought in by*
Mr. Chambers and Mr. Edward Craufurd.)

Ordered, by The House of Commons, *to be Printed,*
6 *March* 1866.

[Bill 51.]

Under 1 oz.

A

BILL

TO

Amend the Law relating to Life Insurances in Ireland.

WHEREAS an Act was passed in the Fourteenth Year of the Reign of His late Majesty King George the Third, intituled "An Act for regulating Insurances upon Lives, "and for prohibiting all such Insurances except in Cases where the "Persons insuring shall have an Interest in the Life or Death of "the Persons insured:" And whereas it is expedient that the Provisions of the said recited Act should be extended to Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 14 G. 3. c. 48.

1. From and after the *Commencement of this Act* the Provisions of the said recited Act shall extend to Ireland. Recited Act extended to Ireland.

2. This Act shall commence and take effect from and after the *First Day of November in the Year One thousand eight hundred and sixty-six,* and shall apply to all Policies of Insurance upon Lives entered into upon and after that Date. Commencement of Act.

Life Insurances (Ireland).

A

B I L L

To amend the Law relating to Life Insurances in Ireland.

(*Prepared and brought in by*
Mr. Attorney General for Ireland and Mr. Solicitor General for Ireland).

Ordered, by The House of Commons, *to be Printed*,
7 *May* 1866.

[Bill 141.]

Under 1 *oz.*

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Winchester, Burton-upon-Trent, Longton, Accrington, Preston, Bangor, Elland, Halstead, Wadsworth, Canterbury, Dartmouth, Dukinfield, Stroud, and Bridlington, and for other Purposes relative to certain Districts under the said Act.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and other Provisions made with respect to certain Districts already under the Local Government Act aforesaid: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after *the passing of this Act*, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Limitation as to Amount of Rates in Canterbury District.

2. The Rates leviable within the District of the City and Borough of Canterbury under the Provisions of the Local Government Act, 1858, for all the Purposes of that Act, shall not in any One Year exceed the Amount of *Three Shillings* in the Pound Sterling upon all House Property within such District assessable to such Rates under the said Act, nor the Sum of *Sixpence* in the Pound Sterling upon all Lands within such District used for Agricultural Purposes only.

As to Map of Boundary of Halstead District.

3. The Boundary of the District of Halstead, as settled by the Provisional Order in the Schedule to this Act, shall be taken and deemed to be the Boundary set out on a Map of the said District, approved by the Secretary of State, and deposited at the Office of the Halstead Local Board.

Separated Portion of Halstead District to continue liable to due Share of Mortgage Debt.

4. Notwithstanding the Separation from the Halstead District of a Part of the said District as set forth and described in the Provisional Order in the Schedule to this Act contained, the Part so separated shall continue liable to the same Extent as at present to the Payment of the Interest and annual Instalments of the Monies borrowed by the Local Board of Health of the said District up to the Time of *the passing of this Act*, and all the Powers in relation to rating shall for the Purpose of rating for the Payment of such Interest and Instalments continue as if there had been no Separation of such Part from the said District: Provided always, that any Income arising from the Waterworks of the said Local Board of Health shall be applied exclusively to the Payment of the Interest and Instalments of the Sum of Three thousand five hundred Pounds, being the Amount borrowed by the said Board for the said Waterworks, and of the working Expenses of such Works.

Appropriation, &c. of 4,500*l.* to be paid to Local Board of Bangor by Col. the Hon. E. G. D. Pennant, M.P.

5. And whereas Colonel the Honourable Edward Gordon Douglas Pennant, M.P., is the sole Owner of the Part of the Parish of Llandegai which lies within the Boundaries of the Parliamentary Borough of Bangor, and is referred to in the Provisional Order relative to the District of Bangor in the Schedule to this present Act contained, and such Part of the said Parish of Llandegai is wholly unconnected with the Drainage System and with the other sanitary

Arrangements of the said District of Bangor, and is lighted, cleansed, and the Roads and Pavements therein are kept in repair, at the sole Costs and Charges of the said Colonel the Honourable Edward Gordon Douglas Pennant: And whereas at the Time of the making of the said Provisional Order Doubts were entertained whether the Part of the Parish of Llandegai was included within such District of Bangor: And whereas in consideration of the Local Board of Health for the said District terminating legal Proceedings which have been taken by them to enforce certain General District Rates made by them upon the Property within the said Part of the Parish of Llandegai, and upon the passing of an Act of Parliament to confirm the said Provisional Order excluding the said Part of the Parish of Llandegai from the District of the Local Board of Health for Bangor, the said Colonel the Honourable Edward Gordon Douglas Pennant hath agreed to give the said Local Board of Health the Sum of Four thousand and five hundred Pounds in exoneration of all such Rates as aforesaid: And whereas the Bangor Local Board of Health is indebted in the Sum of Four thousand and five hundred Pounds or thereabouts borrowed by them upon the Security of the Rates within their said District, under the Powers contained in the Public Health and Local Government Acts in that Behalf: And whereas the said Local Board of Health, deeming it conducive to the Interests of the Owners and Ratepayers within the said District of Bangor, have agreed to accept the said Sum of Four thousand and five hundred Pounds which the said Colonel the Honourable Edward Gordon Douglas Pennant has agreed to give them on the passing of this Act as aforesaid: Be it enacted, That the said Sum of Four thousand and five hundred Pounds so to be given by the said Colonel the Honourable Edward Gordon Douglas Pennant to the said Local Board of Health for the District of Bangor shall be applied by the said Board in defraying all the Costs, Charges, and Expenses incurred by them in and connected with the legal Proceedings which they have taken to enforce Payment of the General District Rates on the said Part of the Parish of Llandegai which is by the said Provisional Order, confirmed as aforesaid, excluded from the said District of Bangor, and all the Costs, Charges, and Expenses incurred by the said Local Board in relation to the said Provisional Order and to this Act, and, subject to the Payment of such Costs, Charges, and Expenses, the Residue of the said Sum of Four thousand and five hundred Pounds shall be applied by the said Local Board of Health in Repayment of the said Sum of Four thousand and five hundred Pounds or thereabouts borrowed by them upon the Security of the Rates within their said District as aforesaid. The Payment by the said Colonel the Honourable Edward Gordon

Douglas Pennant of the Sum of Four thousand and five hundred Pounds to the said Local Board of Health for the District of Bangor shall be in full Satisfaction of all Claims and Demands by the same Board for Rates or otherwise on or with reference to the said Part of the Parish of Llandegai which is by the said Provisional Order, confirmed as aforesaid, excluded from the said District of Bangor.

Act incorporated with 21 & 22 Vict. c. 98.

6. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

7. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1866."

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. **Winchester.**—Repealing and altering Parts of Local Acts in force within the City.

2. **Burton-upon-Trent.**—Alteration of the Town of Burton-upon-Trent Act, 1853, in force within the Local Board's District.

3. **Longton.**—Repealing and altering Parts of a Local Act in force within the District of the Longton Local Board.

4. **Accrington.**—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health, otherwise than by Agreement, for Market Improvements.

5. **Preston.**—Putting in force the Lands Clauses Consolodation Act, 1845, within the District of Preston, for the Purchase of Lands by the said Board for Park and Street Improvements.

6. **Bangor.**—Altering the Boundaries of the District of Bangor, under the Local Government Act, 1858.

7. **Elland.**—Altering the Boundaries of the District of Elland, under the Local Government Act, 1858.

8. **Halstead.**—Altering the Boundaries of the District of Halstead, under the Provisions of the Local Government Act, 1858.

9. **Wadsworth.**—Separating from the District of Wadsworth a Portion of the Township of Wadsworth.

10. **Canterbury.**—For Repeal and Alteration of the Canterbury Local Acts in force within the District of the Canterbury Local Board.

11. **Dartmouth.**—For extending the Borrowing Powers of the Dartmouth Local Board.

12. **Dukinfield.**—For extending the Borrowing Powers of the Dukinfield Local Board of Health.

13. **Stroud.**—For extending the Borrowing Powers of the Stroud Local Board of Health.

14. **Bridlington.**—For extending the Borrowing Powers of the Bridlington Local Board.

WINCHESTER.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Winchester Local Board.

WHEREAS the Mayor, Aldermen, and Citizens of the City of Winchester, in the County of Hants, by the Council of the said City, acting as the Local Board in and for such City, being the District in which the Local Government Act, 1858, is in force, have, in pursuance of that Act, presented a Petition to me, as One of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of and transfer of powers under certain Local Acts of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the eleventh year of the reign of King George the Third (11 Geo. 3. Cap. 9.), intituled "An Act for the better paving, repairing, "cleansing, lighting, and watching the streets and other public passages "within the city of Winchester; and also within the several parishes of "Saint Bartholomew Hyde, Saint John's in the Soke, Saint Peter's "Cheesehill, Saint Swithin, and Saint Michael in the West Soke, in the "suburbs in the said city; and for preventing nuisances and annoyances "therein; and for widening and rendering the same more commodious;"

Also, a certain other Act passed in the forty-eighth year of the reign of King George the Third (Cap. 2.), intituled "An Act for amending and "enlarging the powers of an Act of His present Majesty, for paving, "cleansing, lighting, and watching the streets and public passages in the "city of Winchester, and several parishes in the suburbs thereof, and "for removing and preventing nuisances therein:"

And whereas, in pursuance of the said Local Government Act, inquiry has been directed by me to be duly made in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Arnold Taylor, Esquire, the Inspector appointed for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The herein-before recited Local Act, passed in the eleventh year of the reign of King George the Third (Cap. 9.), shall be repealed, and all the exemptions from rating conferred thereby shall cease and determine.

2.—The parts of the second herein-before recited Local Act, passed in the forty-eighth year of the reign of King George the Third (Cap. 2.), to be repealed are those specified in the Schedule to this Order annexed; and all the exemptions from rating conferred by the said Act shall cease and determine.

3.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Acts shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said secondly herein-before recited Local Act, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board aforesaid.

4.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same purposes, as by such Commissioners.

5.—All debts, monies, and securities for money contracted or payable by such Commissioners shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

6.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

7.—The Clerk to the Commissioners acting in execution of the said Local Acts being, by reason of the repeal thereof, superseded, he shall be entitled to have, as compensation for the profits, salary, and emoluments of the said office, an annuity of fifty pounds, and the said Local Board shall pay to such Clerk such annuity out of the general district rates of the district.

Given under my hand this Twenty-seventh day of November One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE to which this Order refers.

The parts of the Local Act 48 Geo. 3. c. 2. referred to in this Order to be repealed are as follows; that is to say,

All the sections of the said Local Act except sections 24, 25, and 26. All exemptions from rating conferred by any of the sections in such Act, as well as the proviso to section 51 of such Act, to cease and determine.

BURTON-UPON-TRENT.

Provisional Order for the Alteration of the Town of Burton-upon-Trent Act, 1853, *in force within the District of the Burton-upon-Trent Local Board.*

Whereas the Commissioners acting in execution of a certain Local Act of Parliament passed in the sixteenth and seventeenth years of the reign of Her Majesty Queen Victoria (cap. 118), intituled " An Act for more effectually " improving the Town of Burton-upon-Trent, in the County of Stafford," have duly adopted the Local Government Act, 1858, in and for the said Town of Burton-upon-Trent:

And whereas the said Commissioners acting as a Local Board under and for the purposes of the Local Government Act have in pursuance of the said Act presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the partial repeal of the said Local Act, being an Act in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any Corporation, Company, Undertakers, or Individuals, for their own pecuniary benefit, and for other purposes in such Petition set forth :

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District by Arnold Taylor, Esquire, the Inspector appointed for such purpose, in respect of the several matters mentioned in the said Petition :

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Act aforesaid of 16 & 17 Vict. c. 118. shall be altered as follows, and shall be read and have effect accordingly:—

The 36th and the 39th sections of the said Local Act shall be repealed.

Given under my hand this Twenty-eighth day of February, in the year One thousand eight hundred and sixty-six.

(Signed) G. Grey.

LONGTON

LONGTON.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Longton Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Longton in the County of Stafford, acting as the Local Board in and for the Borough aforesaid, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

> An Act passed in the second year of the reign of Her Majesty Queen Victoria, intituled "An Act for establishing an effective police in places "within or adjoining to the District called the Staffordshire Potteries, "and for improving and cleansing the same, and better lighting parts "thereof:"

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said herein-before recited Local Act passed in the second year of the reign of Queen Victoria (Cap. 44), specified in the Schedule hereunto annexed, shall be repealed, so far as the provisions thereof apply to and are in force within the limits of the aforesaid District of the Borough of Longton.

Given under my hand this Tenth day of April One thousand eight hundred and sixty-six.

(Signed) G. Grey.

Schedule to which this Order refers.

The Parts of the Local Act 2 Vict. c. 44. herein-before referred to in this Order to be repealed are as follows; that is to say,

The sections of the said Local Act numbered 82 and 83 (respecting the levying of Public Improvement and Public Lighting Rates), and sections of the same Act numbered 84 and 85 (relating to exemptions from rating under the preceding sections).

ACCRINGTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Accrington, in the County of Lancaster, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Market Improvements.*

Whereas the Local Board of Health for the District of Accrington, in the County of Lancaster, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings to provide within their District a Market Place and other conveniences for the purpose of holding Markets, and for providing buildings and approaches, &c. necessary for the convenient use of such Market:

And whereas the said petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Accrington aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this First day of July, in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

Schedule

Schedule referred to in the preceding Order.

The Pieces of Land and the Premises proposed to be taken, as described in the foregoing Order, and shown upon the Plan accompanying the Local Board's Petition, are the following, showing the property so proposed to be taken otherwise than by agreement.

No. on Plan.	Description of Land.	Names of Owners or reputed Owners.	Occupiers.
N 42	House and land - -	Executors of the late Mr. James Ormerod.	Unoccupied.
N 44	House - - -	Ditto - - -	James Barnes.
N 46	House - - -	Ditto - - -	Unoccupied.
8	Land containing 11¾ yards -	William Dewhurst, Esq. -	Ditto.
9	Land containing 19⅓ yards -	Ditto - - - -	Ditto.
10	Land partly covered with water, containing 353 yards.	Ditto - - -	Ditto.
N 54	House used as a greengrocer's shop.	Mr. Joseph Chippendale -	Mr. Joseph Chippendale.
48	House and Land - -	John Cocker - -	Mr. Joseph Taylor.
50	Ditto - - -	Ditto - - -	Mr. James Cocker.
52	Ditto - - - -	Ditto - - -	Mr. John Henry.

PRESTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Preston Local Board of Health, for the Purchase of Lands by the said Board for Park and Street Improvements.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Preston, in the County of Lancaster, being, by the Council of the said Borough, the Local Board of Health in and for the District of the said Borough, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1850

1850 (No. 2), have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land for the purpose of enlarging the Park at Avenham, and for widening, enlarging, and improving a certain street in the said Borough styled West Cliff, such land being situate within the District of the said Local Board of Health:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, as shown in the Plan accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such petition, Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Preston, being, by the Council of the said Borough, the Local Board of Health for the District of that Borough, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-fourth day of March One thousand eight hundred and sixty-six.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following; and the numbers in column 1 refer to those on the plan accompanying the Petition of the Local Board of Health.

Number on Plan.	Description of Lands to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1.	Plot of land in Avenham Park near the Riber Ribble, and containing 248 yards or thereabouts.	William Charnley	- - -	John Woodford.
2.	A plot of land on the north east side of West Cliff, containing 112 yards or thereabouts.	William Charnley	- - -	John Woodford.

BANGOR.

Provisional Order for altering the Boundaries of the District of Bangor in the County of Carnarvon under the Provisions of the Local Government Act, 1858.

WHEREAS a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the Provisions of the 77th Section of the Local Government Act, 1858, and duly signed by the Local Board of Health of the District of Bangor in the County of Carnarvon, praying for the separation from the said District of Bangor of all that part of the Parish of Llandegai which lies within the boundaries of the Parliamentary Borough of Bangor, and which is alleged to form part of the said District of Bangor:

And whereas in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for such Purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order, and subject to the provisions which shall be contained in such Act,—

1.—The District of the Local Board of Health for Bangor aforesaid in which the Local Government Act, 1858, is now in force be altered by so much of the aforesaid District as is alleged to be within that part of the Parish of Llandegai which is within the Parliamentary Borough of Bangor being excluded from the District of the aforesaid Local Board of Health for Bangor.

2.—At every election of members of the Local Board of Health aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District of the Bangor Board, as altered by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so altered as aforesaid.

Given under my hand this Fifteenth day of February in the year One thousand eight hundred and sixty-six.

(Signed) G. Grey.

ELLAND.

Provisional Order altering the Boundaries of the District of Elland in the County of York, under the Provisions of the Local Government Act, 1858.

Whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th Section of the Local Government Act, 1858, duly signed by the Local Board of Health for the District of Elland in the County of York, praying for an alteration of the existing boundaries of their District:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in respect of the said Petition, and report has been made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The boundaries of the said District be extended by incorporating therewith all parts of the hamlet of Elland, in the West Riding of the County of York, not comprised and included in the boundaries of the District of Greetland, in the said County, as settled under the provisions of the

Local Government Act, 1858, by my Orders bearing date respectively the 14th day of November 1864 and the 11th day of March 1865.

2.—At every election of members of the Local Board for the said extended District of Elland which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as constituted by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so constituted.

Given under my hand this Seventeenth day of May, in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

HALSTEAD.

Provisional Order for altering the Boundaries of the District of Halstead in the County of Essex, under the Provisions of the Local Government Act, 1858.

Whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, and duly signed by owners and ratepayers of the District of Halstead in the County of Essex, praying for an alteration of the existing boundary of the said District:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board of Health for Halstead in the County of Essex be altered by there being separated therefrom all that portion of the said District lying without a circle of which the radius is about one thousand yards and the centre is the middle of the bridge over the river Colne, at the end of High Street, Halstead, and the District shall consist of all portions of Halstead lying within the said circle.

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the

District of the Halstead Local Board of Health as altered by this Order and by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Fifteenth day of June, in the year One thousand eight hundred and sixty-five.

(Signed) G. Grey.

WADSWORTH.

Provisional Order for separating from the District of Wadsworth in the County of York a portion of the Township of Wadsworth.

Whereas the Local Government Act, 1858, was duly adopted by the Township of Wadsworth in the County of York, and notice thereof in writing was duly given to me, as one of Her Majesty's Principal Secretaries of State, as required by such Act:

And whereas a Petition has now been presented to me, as such Secretary of State as aforesaid, under the provisions of the 77th Section of the said Local Government Act, signed by the Chairman of a Public Meeting, duly convened, of the owners and ratepayers of that part of the District of Wadsworth aforesaid proposed to be separated, praying for the separation from the said District of all such part of the said District as is not coloured Pink on the Plan accompanying the said Petition, and therein particularly described:

And whereas inquiry has been directed in the said District into the several matters alleged in the said Petition, and Report has been duly made to me thereon by Arnold Taylor, Esquire, the Inspector appointed for the purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the aforesaid Local Government Act, I, as one of Her Majesty's Principal Secretaries of State as aforesaid, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act confirming this Order that part of the said Township of Wadsworth set forth and described in the Schedule to this Order annexed shall be separated from the said District of Wadsworth, and be hereafter excluded from the operation of the said Local Government Act, 1858.

Given under my hand, this Sixth day of January in the year One thousand eight hundred and sixty-six.

(Signed) G. Grey.

Schedule

SCHEDULE referred to in the above Order.

So much of the Township of Wadsworth shall be separated from the District of Wadsworth as lies outside of the portions coloured Pink and Yellow on the Plan accompanying this Order, and which portions are bounded as follows; namely, on the north commencing at Lee Mill Bridge at the point A.; thence in a southerly direction along and including Lee Mill Lane to the Lees and Hebden Bridge Turnpike Road at the point B.; thence in a northerly direction and including the Lees and Hebden Bridge Turnpike Road to Nursery Nook at the point C.; thence in a south-easterly direction along and including a cart road to Hirst Bridge at the point D.; thence in a southerly direction to Sandygate at the point E.; thence in a south-westerly direction along and including Sandygate Lane to Dodnaze Road at the point F.; thence across Dodnaze Road to the fence dividing the Higher and Lower Stubbing Closes, and along such fence in a south-easterly direction to the top of and along Common Bank Wood to Wilkin Clough at the point G.; thence in a north-easterly direction to the occupation road at the point H.; thence in a south-easterly direction along such occupation road to Higher Mayroyd Wood, and along the top fence of such Wood to Falling Royd Delph, and thence to Falling Royd Road at the point I.; thence down and including such road to the Turnpike Road from Halifax to Todmorden at the point J.; thence in a south-easterly direction, crossing the Rochdale Canal at Falling Royd Bridge, and following the south side of such Canal to the Township Boundary at Mytholmroyd Bridge at the point K.; thence in a north-easterly and northerly direction following the Township Boundary to the point A. at Lee Mill Bridge aforesaid.

CANTERBURY.

Provisional Order for repeal and alteration of the Canterbury Local Acts in force within the District of the Canterbury Local Board.

WHEREAS the Council of the City and Borough of Canterbury have duly adopted the Local Government Act, 1858, in and for the said City and Borough; and the said Council acting as a Local Board, under and for the purposes of such Act, have, in pursuance of the said Act, presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration, amendment, and partial repeal of the herein-after recited Local Acts in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any Corporation, Company, Undertakers, or Individuals, for their own pecuniary benefit, and for other purposes in such petition set forth; that is to say,—

An Act passed in the twenty-seventh year of the reign of King George the Third (27 Geo. 3. cap. 14.), intituled "An Act for paving, cleansing, lighting,

" and watching the streets, lanes, and other public passages and places within the " walls of the City of Canterbury, and the liberties thereof, and also several " streets and other places near or adjoining to the said City, and for removing and " preventing encroachments, obstructions, nuisances, and annoyances therein:"

Also an Act passed in the fourth and fifth years of the reign of Queen Victoria (4 & 5 Vict. cap. 66.), intituled "An Act for amending an Act " passed in the twenty-seventh year of the reign of King George the Third, for " paving, cleansing, lighting, and watching the streets and other public passages " and places within the walls of the City of Canterbury and the liberties " thereof, and other places near the said City:"

Also an Act passed in the seventh and eighth years of the reign of Queen Victoria (7 & 8 Vict. cap. 53.), intituled "An Act for amending certain Acts " for paving, cleansing, and lighting the streets and other public passages and " places within the City and Borough of Canterbury:"

Also an Act passed in the forty-first year of the reign of King George the Third (41 Geo. 3. cap. 7.), intituled "An Act for enlarging, improving, and " regulating the cattle market within the City and County of the City of " Canterbury:"

Also an Act passed in the fifth year of the reign of King George the Fourth (5 Geo. 4. cap. 134.), intituled "An Act for erecting a market house for " the sale of corn, hops, and other agricultural produce in the City of Canterbury " and County of the same City, for improving and enlarging the market places " for the sale of provisions in the said City and County, and for regulating and " maintaining the said markets:"

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Acts aforesaid shall be repealed, altered, and amended as follows, and shall be read and have effect accordingly:—

The herein-before recited Local Acts of 27 Geo. 3. cap. 14, 4 & 5 Vict. cap. 66., and 7 & 8 Vict. cap. 53. (relating to the paving, &c. of the District of Canterbury aforesaid, and generally styled the Canterbury Pavement Acts,) shall be repealed, except so far as relates to such portion of the fifty-fourth section of the first of the herein-before recited Acts (27 Geo. 3. cap. 14.) as empowers the Commissioners to authorize persons bringing any goods, wares, or merchandize to the butter market of the City of Canterbury, or to set, place, or expose for sale such goods, wares, or merchandize either on the footpaths or carriageway, lanes, passages, or places of the said City on Saturdays; and such portion of the fifty-sixth section of the said Act as empowers the said Commissioners, or any nine or more of them, to permit or suffer any cart or other carriage to remain in any of the said streets, lanes, passages, or places for any such reasonable time as they shall think proper on the usual market days held in the said City.

2.—The following portions of the herein-before recited Local Acts of 41 Geo. 3. cap. 7. and of 5 Geo. 4. cap. 134. (generally styled the Canterbury Market Acts) shall be repealed, viz., such portions as relate (1) to the mode of making byelaws; (2) to the table or list of tolls; (3) to the days upon which the several markets are to be held; (4) to the appointment of officers; and (5) to the appointment of a Committee: Also the proviso forbidding any toll to be levied in the corn market, except for standing places in the said market: Provided always, that the power to levy tolls for hawking provisions or other articles of any kind whatever about the City and Borough shall be retained: Provided also, that such repeal of the said sections of the Market Acts aforesaid shall not take effect until new byelaws have been adopted and confirmed after the passing of the Act confirming this present Order, in the same manner and form as byelaws under the Local Government Act, 1858.

Given under my hand this Second day of March, in the year One thousand eight hundred and sixty-six.

(Signed) G. Grey.

DARTMOUTH.

Provisional Order for extending the Borrowing Powers of the Dartmouth Local Board.

Whereas the Local Board for the District of Dartmouth in the County of Devon have, under the Provisions of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow, for carrying out works of a permanent nature, a sum which, with the sums already borrowed by that Board, will not exceed in the whole two years' assessable value of the premises within the District in respect of which such sums may be borrowed:

And whereas the said Dartmouth Local Board have, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow, for the purposes herein-before set forth and described, on mortgage of rates leviable by the aforesaid Board, a sum or sums which shall (together with the amount already borrowed) not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed:

And whereas, after due inquiry and report by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board in and for the District of Dartmouth in the County of Devon shall have power and authority to borrow or reborrow, for the execution and completion of works of a permanent nature, in the exercise of their powers as such Local Board within such District, and on mortgage of the rates leviable by them as such, a sum or sums which shall not, with the sums already borrowed by them, exceed in the whole two years' assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Seventh day of March One thousand eight hundred and sixty-six.

(Signed) G. Grey.

DUKINFIELD.

Provisional Order for extending the Borrowing Powers of the Dukinfield Local Board of Health.

Whereas the Local Board of Health for the District of Dukinfield in the County of Chester have, under the provisions of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow a sum which, with the sums already borrowed by that Board, will not exceed in the whole two years' assessable value of the premises within the District in respect of which such sums may be borrowed:

And whereas in and by the Ashton-under-Lyne and Stalybridge (Corporations) Waterworks Act, 1864, it is enacted, that if the aforesaid Local Board of Health are desirous of purchasing that part of the undertaking of the Dukinfield Waterworks Company not situate in the Borough of Stalybridge, and shall give notice of such desire to the Corporations of Ashton-under-Lyne and Stalybridge aforesaid within a period of three months after the passing of the said Ashton-under-Lyne and Stalybridge (Corporations) Waterworks Act, 1864, the said Corporations shall sell and transfer, or cause to be sold or transferred, to the aforesaid Local Board of Health, that portion of the herein-before described undertaking which is not situate within the Borough of Stalybridge aforesaid:

And whereas the said Dukinfield Local Board of Health duly gave notice to the aforesaid Corporations of their desire to purchase such portion of the said undertaking, acting under the provisions of the aforesaid Ashton-under-Lyne and Stalybridge (Corporations) Waterworks Act, 1864, and within a period of three months from the date of the passing of such Act; and the purchase money to be paid by such Local Board of Health for such purchase has been settled and ascertained by arbitration, as provided by the last herein-before recited Act, to be the sum of 23,280*l.*; and the aforesaid Local Board of Health require to borrow, as security of the mortgage of the rates leviable by them under the powers of the Local Government Act, 1858, a sum of 30,000*l.* or upwards, to defray the expenses attendant on the purchase herein-before described, the costs of arbitration, and the conveyance of the aforesaid part of the said undertaking, and of adapting the works, &c., so purchased to the supply of water to the inhabitants of the Dukinfield District:

And whereas the said Local Board of Health have already borrowed, upon security of the rates leviable by them, and for purposes of permanent works, sums amounting in the whole to 37,110*l.*:

And whereas the assessable value of the premises within the aforesaid District of the Dukinfield Local Board of Health amounted, at the time of their petition to me as aforesaid, to the sum of 34,750*l.*; and the amount required to be hereafter borrowed for the purposes already described will, with the sums already borrowed by such Board, exceed one year's assessable value of the premises assessable within the aforesaid District; the said Local Board of Health have, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow, for the purposes herein-before set forth and described, on mortgage of rates leviable by the aforesaid Board, a sum or sums which shall (together with the amount already borrowed) not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed:

And whereas, after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health in and for the District of Dukinfield in the County of Chester shall have power and authority to borrow or reborrow, for the execution and completion of the aforesaid works of a permanent nature for supplying water, or for other purposes, in the exercise of their powers as such Local Board of Health, within such District, and on mortgage of the rates leviable by them as such, a sum or sums which shall not, with the sums already borrowed by them, exceed in the whole two years' assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Twelfth day of March One thousand eight hundred and sixty-six.

(Signed) G. Grey.

STROUD.

Provisional Order for extending the Borrowing Powers of the Stroud Local Board of Health.

Whereas the Public Health Act, 1848, has been duly applied to the area comprised within the boundaries of the Town of Stroud in the County of Gloucester, as defined in the second section of the Local Act of 6 Geo. 4. c. 6.; and under the provisions of the Public Health Supplemental Act, 1857, 20 Vict. cap. 3., the Commissioners for the time being acting in execution of the said Local Act "for paving, lighting, watching, cleansing, regulating, and im-" proving the town of Stroud in the county of Gloucester," were appointed the Local Board of Health, under the said Public Health Act, subject to the provisions in the said last-mentioned Act contained as to the election of members:

And whereas the powers, authorities, and duties of the said Commissioners ceased from and after the passing of the aforesaid Public Health Supplemental Act, 1857, and were transferred to the said Local Board of Health, to be exercised as if they had been granted or imposed by the said Public Health Act; and all property and estate of the Commissioners acting in the execution of the said Local Act were also transferred to the said Local Board of Health, and all debts, monies, and securities for money contracted or payable or to become payable by such Commissioners were thenceforth to be satisfied by the said Local Board:

And whereas the said Local Board of Health have received sanction under the Local Government Act, 1858, and the Public Health Act, 1848, to borrow, upon security of the rates of the aforesaid District of Stroud, sums amounting in the whole to Thirteen thousand five hundred pounds to defray the expense of Works for the Drainage of and Supply of Water to the said District, and other Works of a permanent nature under the aforesaid Acts; and, subsequently, a further sum of One thousand six hundred pounds to carry out and complete the said works, and to carry out other works of a permanent nature:

And whereas the said Local Board have duly petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow, upon mortgage of the rates to be levied by them under the said Acts, the sum of 400*l.* to enable them to defray the additional cost of the said works of Water supply so executed by them as aforesaid; the said sum of 400*l.* to be borrowed upon security of the rates authorized to be made and collected under the Public Health Act, 1848, and Local Government Act, 1858, and to be repaid within a period of fifty years from the borrowing thereof:

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the powers now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Stroud in the county of Gloucester shall have power and authority to borrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, any sum or sums which shall not exceed in the whole the sum of Four hundred pounds; the said sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Tenth day of April One thousand eight hundred and sixty-six.

(Signed) G. Grey.

BRIDLINGTON.

Provisional Order for extending the Borrowing Powers of the Bridlington Local Board (E. R. Yorkshire).

Whereas the Local Board for the District of Bridlington in the East Riding of the County of York have, under the provisions of the Local Government Act, 1858, and of the Local Government Act (1858) Amendment Act, 1861, petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow a sum or sums altogether not to exceed an amount of Thirty-nine thousand Pounds, which will not exceed in the whole two years' assessable value of the premises within the District in respect of which such sums may be borrowed, for the construction of a sea wall and promenade, and for other works of a permanent nature:

And whereas, after due inquiry and report by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board in and for the District of Bridlington in the East Riding of the County of York shall have power and authority to borrow or reborrow, for the execution and completion of works of a permanent nature in the exercise of their powers as such Local Board within such District, and on mortgage of the rates leviable by them as such, a sum or sums which shall not exceed in the whole two years' assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Tenth day of April One thousand eight hundred and sixty-six.

(Signed) G. GREY.

Local Government Supplemental.

A

BILL

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Winchester, Burton-upon-Trent, Longton, Accrington, Preston, Bangor, Elland, Halstead, Wadsworth, Canterbury, Dartmouth, Dukinfield, Stroud, and Bridlington, and for other Purposes relative to certain Districts under the said Act.

(Prepared and brought in by
Mr. Knatchbull-Hugessen and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
16 *April* 1866.

Under 4 *oz.*

[Bill 107.]

Local Government Supplemental (No. 2.)

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Linthwaite and Ventnor, and for the Repeal of the South Wales Highway Act in Briton Ferry District.

Preamble.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and other Provision made with respect to the Briton Ferry District already under the Local Government Act aforesaid:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute,

and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

South Wales Highway Act repealed as to District of Briton Ferry.

2. The Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty (23 & 24 Vict. Cap. 68.), intituled "The South Wales Highway Act," shall be repealed so far as it relates to the District of Briton Ferry in the County of Glamorgan, within which District the Local Government Act, 1858, is now in force.

Act incorporated with 21 & 22 Vict. c. 98.

3. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

4. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1866," (No. 2).

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. **Linthwaite.**—Altering the Boundaries of the District of Linthwaite, under the Local Government Act, 1858, by separating therefrom the Hamlet of Lower Linthwaite.

2. **Ventnor.**—Repealing and Altering Parts of Local Acts in force within the District of the Ventnor Local Board.

LINTHWAITE.

Provisional Order, under the Local Government Act, 1858, *for separating the Hamlet of Lower Linthwaite from the District of Linthwaite in the West Riding of the County of York.*

Whereas a petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th Section of the Local Government Act, 1858, duly signed by a majority of the Owners and Ratepayers in that part of the District of Linthwaite in the West Riding of the County of York known as the Hamlet of Lower Linthwaite praying that the said Hamlet may be separated from the said District.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for that purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The said Hamlet of Lower Linthwaite shall be separated from the said District of Linthwaite.

2.—At every election of members of the Local Board for the said District which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the said District as altered by this Order by the votes of owners of and ratepayers in respect of property situate within the

District so altered as aforesaid, and the division of the said District into Wards for the purposes of such election shall cease.

Given under my hand this Twenty-third day of November One thousand eight hundred and sixty-five.

(Signed) G. GREY.

VENTNOR.

Provisional Order repealing a Local Act and repealing and altering part of another Local Act in force within the District of the Ventnor Local Board.

WHEREAS the Local Board for the District of the Town of Ventnor, in the Isle of Wight, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Isle of Wight aforesaid, so far as such Act affects the said District of Ventnor, and also praying for the alteration and partial repeal of a certain other Local Act of Parliament in force within the District aforesaid, the said Acts respectively having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Fifty-third Year of the Reign of King George the Third, intituled "An Act for amending the Roads and Highways in the "Isle of Wight." Also,—

An Act passed in the Seventh and Eighth Year of the Reign of Queen Victoria, intituled "An Act for better paving, lighting, cleansing, and "otherwise improving part of the Parish of Newchurch, in the Isle of "Wight, called Ventnor, and for establishing a market therein."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said first herein-before recited Local Act of the fifty-third year of the reign of King George the Third shall be repealed, so far as such Act affects the said District of Ventnor.

2.—The said secondly herein-before recited Local Act of the seventh and eighth years of the reign of Queen Victoria, except the parts thereof described or referred to in the Schedule hereunto annexed, shall be repealed, and the parts of such Act which shall be retained shall henceforth be read and construed with the qualifications, alterations, and amendments mentioned in the said schedule touching sections 147, 205, 232, and 342.

3.—The powers, authorities, and duties of the Commissioners for the time being acting in the execution of the last-mentioned Local Act shall cease, but such Commissioners shall continue to be the Local Board for the said District, and the full number of members of the said Local Board shall be eighteen.

4.—The persons respectively now acting as the Clerk, Surveyor, and Treasurer to the said Commissioners shall respectively continue to be the Clerk, Surveyor, and Treasurer of the said Local Board until they shall respectively cease so to act, or shall be removed in the manner prescribed by the Local Government Act, 1858, and such Clerk and Surveyor shall for all purposes be sufficiently designated as "The Town Clerk of Ventnor" and "The Town Surveyor of Ventnor" respectively.

5.—The unrepealed parts of the said last-mentioned Local Act, with the qualifications, alterations, and amendments herein-before referred to, shall be incorporated with the said Local Government Act, 1858, and the expression "The Commissioners" used in the said unrepealed parts of the said last-mentioned Local Act shall mean the Local Board for the District of the Town of Ventnor aforesaid; and all penalties incurred under the unrepealed parts of the said last-mentioned Local Act, with the qualifications, alterations, and amendments herein-before referred to, shall be recovered in the same way as penalties incurred under the Public Health Act, 1848, and be applied in aid of the purposes of that Act, and of the Local Government Act, 1858.

6.—All property and estate of the Commissioners acting in the execution of the said last-mentioned Local Act shall be transferred to and vested in the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts and for the same purposes as by such Commissioners; and all rates and other monies due to the said Commissioners shall be paid to and received by the said Local Board, and be applied by such Local Board as if the same had been levied by or become owing to them in the execution of the said Local Government Act, 1858; and all powers, authorities, rights, and privileges vested in the said Commissioners under or by virtue of any agreement, deed, or Act of Parliament now in force shall be transferred to and vested in the said Local Board, and may be exercised by the said Local Board as by such Commissioners.

7.—All debts, monies, and securities for money contracted, payable, or given by such Commissioners (save only the debts mentioned in the next paragraph of this Order) shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners: Provided always, that if such property and estate be insufficient for that purpose the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

8.—The monies borrowed at interest by such Commissioners under section 53 of the said last-mentioned Local Act, on the credit of tolls, rates, or assessments by that Act granted, and other property vested in such Commissioners, shall remain a charge on the rates, tolls, and assessments leviable under the said Local Government Act, 1858, and on the other transferred property of the said Commissioners which would have been chargeable therewith if this Order had not been made, and the mortgages for securing the monies so borrowed shall and may be assigned, transferred, paid off, and otherwise dealt with, as prescribed by the said unrepealed parts of the said last-mentioned Local Act, or some or one of the unrepealed sections thereof, in the same or the like manner as if such monies had been borrowed by the said Local Board under the said unrepealed parts of the said last-mentioned Local Act, and not under or in exercise of the powers of the Local Government Act, 1858, or the several Acts (save the unrepealed parts of the said last-mentioned Local Act) incorporated therewith: Provided always, that nothing in this Order contained shall prejudice or affect the said Local Board in the exercise by them of the powers and provisions contained in the said Local Government Act, 1858, or the several Acts (save the said unrepealed parts of the said last-mentioned Local Act) incorporated therewith, relative to the borrowing of money, and the mortgaging of rates, with and under the sanction, consent, direction, and approval in the said Acts or any or either of them contained: Provided also, that any money borrowed by the said Local Board under the provisions of the said Local Government Act, 1858, and the several Acts (save the said unrepealed parts of the said last-mentioned Local Act) incorporated therewith, shall be repaid, and the said Local Board shall from time to time make provision for the repayment thereof and for the payment of the interest thereon, in the same manner as if this Order had not been made, and beyond and in excess of a compliance with the enactments of the unrepealed parts of the said last-mentioned Local Act, touching the money already borrowed as aforesaid.

Given under my hand, this Third day of May One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHE-

SCHEDULE referred to in the preceding Order.

The parts of the Local Act of the seventh and eighth years of the reign of Queen Victoria to be retained are as follows; that is to say,—

Sections 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 132, 147 (omitting therein the expression "for the said Highway Commissioners for the time being or"), 205 (from the commencement thereof down to and including the expression "(that is to say)," and so far as relates to the several clauses thereof which are respectively indicated in the margin of the said Act by the respective expressions following, (that is to say,) "selling by auction in streets," "abusive language," "games," introducing into the first of such clauses between the word "auction" and the word "outcry" the expression "or shall by," and substituting for the expression "or otherwise" the words "offer for sale," and adding at the end of the said first clause the words "save uncured fish"), 232 (substituting for the words "when the said," first occurring in such section, the words "whilst any," and omitting the several expressions "after the opening of such market," and "on any day except market days," and also omitting the word "double" therein twice occurring), 233, 237, 238, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, and 342, so far as regards the meaning of words and expressions used in the said unrepealed parts of the said Act of 7 & 8 Victoria.

The Schedules A., B., and E., by the said last-mentioned Act referred to.

Local Government Supplemental (No. 2.)

A

BILL

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Linthwaite and Ventnor, and for the Repeal of the South Wales Highway Act in Briton Ferry District.

(*Prepared and brought in by*
Mr. Knatchbull-Hugessen and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
10 *May* 1866.

[Bill 150.]

Under 1 *oz.*

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Confirm a Provisional Order under "The Local Government Act, 1858," relating to the District of Ventnor, and for the Repeal of the South Wales Highway Act in Briton Ferry District.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made a certain Provisional Order which is contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Order shall be of any Validity whatever until it shall have been confirmed by Parliament; and it is expedient that the said Order should be so confirmed, and other Provision made with respect to the Briton Ferry District already under the Local Government Act aforesaid: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Provisional Order contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and Provisional Order in Schedule confirmed.

and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

South Wales Highway Act repealed as to District of Briton Ferry.

2. The Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty (23 & 24 Vict. Cap. 68.), intituled "The South Wales Highway Act," shall be repealed so far as it relates to the District of Briton Ferry in the County of Glamorgan, within which District the Local Government Act, 1858, is now in force.

Act incorporated with 21 & 22 Vict. c. 98.

3. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

4. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1866," (No. 2).

SCHEDULE.

Provisional Order referred to in the preceding Act.

VENTNOR.

Provisional Order repealing a Local Act and repealing and altering part of another Local Act in force within the District of the Ventnor Local Board.

WHEREAS the Local Board for the District of the Town of Ventnor, in the Isle of Wight, in which District the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable Sir George Grey, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the Isle of Wight aforesaid, so far as such Act affects the said District of Ventnor, and also praying for the alteration and partial repeal of a certain other Local Act of Parliament in force within the District aforesaid, the said Acts respectively having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Fifty-third Year of the Reign of King George the Third, intituled "An Act for amending the Roads and Highways in the "Isle of Wight." Also,—

An Act passed in the Seventh and Eighth Year of the Reign of Queen Victoria, intituled "An Act for better paving, lighting, cleansing, and "otherwise improving part of the Parish of Newchurch, in the Isle of "Wight, called Ventnor, and for establishing a market therein."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said first herein-before recited Local Act of the fifty-third year of the reign of King George the Third shall be repealed, so far as such Act affects the said District of Ventnor.

2.—The said secondly herein-before recited Local Act of the seventh and eighth years of the reign of Queen Victoria, except the parts thereof described or referred to in the Schedule hereunto annexed, shall be repealed, and the parts of such Act which shall be retained shall henceforth be read and construed with the qualifications, alterations, and amendments mentioned in the said schedule touching sections 147, 205, 232, and 342.

3.—The powers, authorities, and duties of the Commissioners for the time being acting in the execution of the last-mentioned Local Act shall cease, but such Commissioners shall continue to be the Local Board for the said District, and the full number of members of the said Local Board shall be eighteen.

4.—The persons respectively now acting as the Clerk, Surveyor, and Treasurer to the said Commissioners shall respectively continue to be the Clerk, Surveyor, and Treasurer of the said Local Board until they shall respectively cease so to act, or shall be removed in the manner prescribed by the Local Government Act, 1858, and such Clerk and Surveyor shall for all purposes be sufficiently designated as "The Town Clerk of Ventnor" and "The Town Surveyor of Ventnor" respectively.

5.—The unrepealed parts of the said last-mentioned Local Act, with the qualifications, alterations, and amendments herein-before referred to, shall be incorporated with the said Local Government Act, 1858, and the expression "The Commissioners" used in the said unrepealed parts of the said last-mentioned Local Act shall mean the Local Board for the District of the Town of Ventnor aforesaid; and all penalties incurred under the unrepealed parts of the said last-mentioned Local Act, with the qualifications, alterations, and amendments herein-before referred to, shall be recovered in the same way as penalties incurred under the Public Health Act, 1848, and be applied in aid of the purposes of that Act, and of the Local Government Act, 1858.

6.—All property and estate of the Commissioners acting in the execution of the said last-mentioned Local Act shall be transferred to and vested in the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts and for the same purposes as by such Commissioners; and all rates and other monies due to the said Commissioners shall be paid to and received by the said Local Board, and be applied by such Local Board as if the same had been levied by or become owing to them in the execution of the said Local Government Act, 1858; and all powers, authorities, rights, and privileges vested in the said Commissioners under or by virtue of any agreement, deed, or Act of Parliament now in force shall be transferred to and vested in the said Local Board, and may be exercised by the said Local Board as by such Commissioners.

7.—All debts, monies, and securities for money contracted, payable, or given by such Commissioners (save only the debts mentioned in the next paragraph of this Order) shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners: Provided always, that if such property and estate be insufficient for that purpose the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

8.—The monies borrowed at interest by such Commissioners under section 53 of the said last-mentioned Local Act, on the credit of tolls, rates, or assessments by that Act granted, and other property vested in such Commissioners, shall remain a charge on the rates, tolls, and assessments leviable under the said Local Government Act, 1858, and on the other transferred property of the said Commissioners which would have been chargeable therewith if this Order had not been made, and the mortgages for securing the monies so borrowed shall and may be assigned, transferred, paid off, and otherwise dealt with, as prescribed by the said unrepealed parts of the said last-mentioned Local Act, or some or one of the unrepealed sections thereof, in the same or the like manner as if such monies had been borrowed by the said Local Board under the said unrepealed parts of the said last-mentioned Local Act, and not under or in exercise of the powers of the Local Government Act, 1858, or the several Acts (save the unrepealed parts of the said last-mentioned Local Act) incorporated therewith: Provided always, that nothing in this Order contained shall prejudice or affect the said Local Board in the exercise by them of the powers and provisions contained in the said Local Government Act, 1858, or the several Acts (save the said unrepealed parts of the said last-mentioned Local Act) incorporated therewith, relative to the borrowing of money, and the mortgaging of rates, with and under the sanction, consent, direction, and approval in the said Acts or any or either of them contained: Provided also, that any money borrowed by the said Local Board under the provisions of the said Local Government Act, 1858, and the several Acts (save the said unrepealed parts of the said last-mentioned Local Act) incorporated therewith, shall be repaid, and the said Local Board shall from time to time make provision for the repayment thereof and for the payment of the interest thereon, in the same manner as if this Order had not been made, and beyond and in excess of a compliance with the enactments of the unrepealed parts of the said last-mentioned Local Act, touching the money already borrowed as aforesaid.

Given under my hand this Third day of May One thousand eight hundred and sixty-five.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The parts of the Local Act of the seventh and eighth years of the reign of Queen Victoria to be retained are as follows; that is to say,—

Sections 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 132, 147 (omitting therein the expression "for the said Highway Commissioners for the time being or"), 205 (from the commencement thereof down to and including the expression "(that is to say)," and so far as relates to the several clauses thereof which are respectively indicated in the margin of the said Act by the respective expressions following, (that is to say,) "selling by auction in streets," "abusive language," "games," introducing into the first of such clauses between the word "auction" and the word "outcry" the expression "or shall by," and substituting for the expression "or otherwise" the words "offer for sale," and adding at the end of the said first clause the words "save uncured fish"), 232 (substituting for the words "when the said," first occurring in such section, the words "whilst any," and omitting the several expressions "after the opening of such market," and "on any day except market days," and also omitting the word "double" therein twice occurring), 233, 237, 238, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, and 342, so far as regards the meaning of words and expressions used in the said unrepealed parts of the said Act of 7 & 8 Victoria.

The Schedules A., B., and E., by the said last-mentioned Act referred to.

Local Government Supplemental (No. 2.)

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To confirm a Provisional Order under "The Local Government Act, 1858," relating to the District of Ventnor, and for the Repeal of the South Wales Highway Act in Briton Ferry District.

(*Prepared and brought in by*
Mr. Knatchbull-Hugessen and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
25 *June* 1866.

[Bill 198.]

Under 1 *oz.*

A

B I L L

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of West Hartlepool, Tormoham, Harrogate, St. Leonard, Wednesfield, Aberdare, Bristol, Derby, Shrewsbury, Netherthong, Hove, New Windsor, Hanley, Burnley, and Accrington; and for other Purposes relative to certain Districts under the said Act.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and other Provisions made with respect to certain Districts already under the Local Government Act aforesaid: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

poral, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after *the passing of this Act*, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Limit of Time for compulsory Purchase of Land (Bristol).

2. The Mayor, Aldermen, and Burgesses of the City of Bristol, being by the Council of the said City the Local Board of Health in and for the District of the said City and County of Bristol, shall not exercise the Powers of compulsory Purchase or taking of Lands under the Provisions of the Bristol Provisional Order (in the Schedule to this Act annexed and confirmed by this Act), for the Purposes set forth and described in such Provisional Order, after the Expiration of *Five Years* from the Date of the passing of this Act.

As to Liability to Share of Halstead Mortgage Debt.

3. The Fourth Section of the Local Government Supplemental Act, 1866, (Twenty-ninth Victoria, Chapter Twenty-four,) shall be taken to be and shall be read as if the following Words were added to that Section, that is to say: Provided also, that any Income arising or that may hereafter arise from the Corn Market House belonging to the said Board shall be applied exclusively to the Payment of the Interest and Instalments of the Sum of One thousand three hundred Pounds, being the Amount borrowed by the said Board on the Security of the General District Rates for the Erection of such Corn Market House.

Adoption of Local Government Act by Knottingley rescinded.

4. Whereas the Local Government Act, 1858, was on the Sixteenth Day of February One thousand eight hundred and sixty-three, duly adopted by the Township of Knottingley in the West Riding of the County of York, but no Proceedings have been taken to elect a Local Board or appoint Officers for the Purposes of the said Act, or otherwise to carry the said Act into execution in such Township: And whereas a Memorial numerously signed by Owners and Ratepayers of such Township, and presented to the Secretary of State for the Home Department as One of Her Majesty's Principal Secretaries of State, praying that the Resolution adopting the aforesaid Act be rescinded: And whereas the Population of the Township being above Three thousand according to the last Census, such Township cannot legally rescind such Adoption by Resolution: It is hereby enacted, That the aforesaid Resolution of Adoption of the Local Government Act, 1858, by the said Township of Knottingley shall be and the same is hereby rescinded.

5. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Act incorporated with 21 & 22 Vict. c. 98.

6. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1866" (No. 3).

Short Title.

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. West Hartlepool.—Repealing and altering Parts of a Local Act in force within the District.
2. Tormoham.—Alteration of the Torquay Waterworks Act, 1856, in force within the Local Boards District, and for other Purposes under the Local Government Act, 1858.
3. Harrogate.—Alteration of the Harrogate Improvement Act, 1841, in force within the District of Harrogate.
4. St. Leonard.—Repealing and altering Parts of a Local Act in force within the District of the Local Board of St. Leonard.
5. Wednesfield.—Altering the Boundaries of the District of Accrington under the Provisions of the Local Government Act, 1858.
6. Aberdare.—Separating from the District of Aberdare a Portion thereof styled Mountain Ash.
7. Bristol.—Putting in force the Lands Clauses Consolidation Act, 1845, within the District, for the Purchase of Lands for Street Improvements therein.
8. Derby.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health otherwise than by Agreement, for Improvements of Streets.
9. Shrewsbury.—Putting in force the Lands Clauses Consolidation Act, 1845, within the District, for the Purchase of Lands for Market and Street Improvements therein.
10. Netherthong.—Putting in force the Lands Clauses Consolidation Act, 1845, within the District, for the Purchase of Lands for Road Improvements.
11. Hove.—Putting in force the Lands Clauses Consolidation Act, 1845, within the District, for the Purchase of Lands for Road Improvements.
12. New Windsor.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase of Lands by the Board for Road Improvements.
13. Hanley.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase of Land by the Board for Street Improvements.
14. Burnley.—Putting in force the Lands Clauses Consolidation Act, 1845, within the District, for the Purchase of Lands for Street Improvements.
15. Accrington.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board of Health otherwise than by Agreement, for further Market Improvements.

WEST HARTLEPOOL.

Provisional Order for Repeal and Alteration of the West Hartlepool Local Act in force within the District of the West Hartlepool Improvement Commissioners.

Whereas the West Hartlepool Improvement Commissioners have duly adopted the Local Government Act, 1858, in and for the limits of the West Hartlepool Improvement Act, 1854 (17 Vict. cap. 41.); and the said Commissioners acting as a Local Board, under and for the purposes of such Act, have, in pursuance of the said Local Government Act, presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration, amendment, and partial repeal of the herein-after recited Local Act, in force within the said District, having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals, for their own pecuniary benefit, and for other purposes in such petition set forth; that is to say:—

An Act passed in the seventeenth year of the reign of Her present Majesty, Queen Victoria, (17 Vict. cap. 41.) intituled "An Act for paving, lighting, " watching, draining, cleansing, regulating, and otherwise improving the Town " of West Hartlepool and part of the Township of Stranton, in the County " of Durham, for providing a Cemetery, and for other purposes:"

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Act aforesaid shall be repealed, altered, and amended as follows, and shall be read and have effect accordingly:—

The parts of the said Local Act, 17 Vict. cap. 41, called "The West Hartlepool Improvement Act, 1854," to be repealed (referring to the numbers of the Sections in that Act and the Acts incorporated therewith, in the copies printed by the Queen's Printers) are as follows:—

So much of Section 6 as incorporates the following Sections of the Commissioners Clauses Act, 1847, that is to say, Sections 16, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, and 108.

Also Section 19 (except so much thereof as incorporates the following portions of the Towns Improvement Clauses Act, 1847; that is to say,

"With respect to lighting the town or district;"

"With respect to things to be done by the Commissioners by " Special Order except Section CXXXIV., and except so " much of Section CXXXVI. as requires the concurrence or " approval of the Inspector;"

"With respect to the manner of making rates authorized by the
"said Towns Improvement Clauses Act, or this Act, except
"Section CLXVII.;"
"With respect to the Appeal to be made against any rate;" and
"With respect to the recovery of rates.")

Also Sections 22, 23, 24, 26, 27, 28, 30, 31, 34, 35, 36, 37, 69, 71, 72, and 73.

2.—The Provisions of the Public Health Act, 1848, as to byelaws, shall extend to all byelaws made under the said herein-before recited Local Act; and all byelaws heretofore made under and by virtue of the said Local Act shall, notwithstanding the repeal of such parts of the Local Act, remain in full force and effect.

3.—All mortgages, contracts, and agreements made by or entered into with the Commissioners, and all rights, privileges, and obligations thereunder, shall remain in full force notwithstanding the repeal or alteration of portions of the Act authorizing the same; and all such rights, privileges, and obligations shall henceforth be enforced in like manner as if the same had been made under and by virtue of the aforesaid Local Government Act, 1858.

4.—No re-appointment shall be necessary of officers or persons appointed by the Commissioners under the said Local Act, but such officers shall act, and all securities, contracts, and agreements given and made by them shall continue in force, as if the appointments had been made and the securities, contracts, and agreements given and made under the said Public Health Act and the Local Government Act; and all powers under any of the parts of the said Local Act not repealed by any Act of Parliament confirming this Order may be exercised in the manner directed by the Public Health Act, 1848, and the Local Government Act, 1858, for the exercise of powers under those Acts respectively, and the provisions of the said last-mentioned Acts shall extend and apply to matters arising under the unrepealed parts of the said Local Act; and the said Public Health Act and Local Government Act shall be incorporated with the unrepealed parts of the said Local Act, and the purposes of the said unrepealed parts shall be taken and be deemed to be purposes of the said Public Health Act and Local Government Act.

Given under my hand this Tenth day of May 1866.

(Signed) G. Grey.

TORMOHAM.

Provisional Order repealing and altering Parts of the Torquay Waterworks Act, 1856, *in force within the District of the Tormoham Local Board of Health, and for other Purposes herein set forth.—Local Government Act,* 1858, *Sec.* 77.

Whereas the Local Board of Health for the District of Tormoham, in the County of Devon, have, in pursuance of the 77th Section of the "Local

Government Act, 1858," presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration of "The Torquay Waterworks Act, 1856," being an Act in force within the said district, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any Corporation, Company, Undertakers, or Individuals for their own pecuniary benefit; and also for an alteration of "The Local Government Supplemental Act, 1860," and of the Tormoham Provisional Order confirmed thereby:

AND WHEREAS the Local Board aforesaid obtained, under the Provisional Order and Local Government Supplemental Act aforesaid, certain powers and privileges to enable them better to carry out the works for the supply of water to their District, and have proceeded to execute the works authorized by the said Acts, and the said District is now supplied with water by means thereof, but it has been found expedient and necessary for the better and more effectually affording and maintaining such supply of water that larger reservoirs should be constructed than were contemplated by the said Acts; and the said Local Board are now desirous of obtaining powers to purchase about fifty acres of land in addition to the lands authorized to be purchased by them under the said Acts as aforesaid, and that the said Acts should be otherwise altered as herein-after mentioned:

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed and made in the said District in respect of the several matters mentioned in the said Petition, and report duly made to me thereon by Robert Morgan, Esquire, the inspector appointed for the purpose:

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The powers contained in the said Acts enabling the said Local Board to purchase any lands by agreement as therein mentioned, not exceeding twenty-five acres altogether, shall and may be used and exercised by the said Local Board for purchasing any quantity of land not exceeding fifty additional acres, in the same manner as if seventy-five acres had been originally mentioned in the said Waterworks Act instead of five acres; and the said Local Board may purchase such fifty additional acres of land, for the purpose of constructing and may construct such reservoirs in any parish or parishes, place or places, as to the said Local Board shall seem expedient and necessary.

2.—Notwithstanding the limit of time mentioned in the said 31st Section of the said Waterworks Act, and extended by the Provisional Order, confirmed by the Local Government Supplemental Act, 1860, the said Local Board shall have full power, without any such limit of time, to lay down, construct, and execute all works that may be necessary for the maintenance, extension, and completion of the waterworks constructed or to be constructed by virtue of the said Waterworks Act and Provisional Order, and this Provisional Order, or of any Act relating to the Public Health.

Given under my hand this Twenty-ninth day of May, One thousand eight hundred and sixty-six.

(Signed) G. Grey.

HARROGATE.

Provisional Order for the Alteration of the Harrogate Improvement Act, 1841, *in force within the District of Harrogate, in the County of York, under the Local Government Act*, 1858.

Whereas the Local Government Act, 1858, has been duly adopted by the Commissioners for the Improvement of High and Low Harrogate, acting under and by virtue of an Act passed in the fourth year of the reign of Her present Majesty (4 Victoria, c. xvi.), intituled " An Act for improving certain parts of " the townships of Bilton with Harrogate and Pannal, called High and Low " Harrogate, in the West Riding of the County of York; for protecting the " mineral springs and regulating the stinted pasture in the said townships :"

And whereas by reason of such adoption the said Local Government Act, 1858, now has the force of law in the district to which the said Improvement Act relates, and the said Commissioners thereby became the Local Board for the said District:

And whereas it appears desirable to the said Commissioners that certain clauses of the said Improvement Act should be repealed in the manner hereinafter appearing, the same having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit:

And whereas the said Commissioners acting as such Local Board as aforesaid have, under the provisions of the said Local Government Act, 1858, presented a Petition to me as one of Her Majesty's Principal Secretaries of State, praying that certain clauses of the said Improvement Act may be repealed and partly altered as herein-after set forth:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do by this Provisional Order under my hand direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The following sections of the said Harrogate Improvement Act (4 Vict. cap. xvi.) shall be repealed; that is to say, the 31st, 51st, 52d, 53d, 54th, 55th, 56th, 57th, 59th, 60th, 61st, 62d, 63d, 77th, 78th, 79th, 80th, 81st, 82d, 83d, 84th, 85th, 86th, 93d, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102d, 103d, 104th, 105th, 106th, 107th, 108th, 110th, 111

111th, 115th, 116th, 117th, 118th, 119th, 123d, 124th, 125th, 131st, 135th, 136th, 137th, 138th, and 139th sections of the Act aforesaid.

2.—The limit of 300 yards mentioned in the 90th section of the said Improvement Act as the distance from the Old Sulphur Well at Low Harrogate within which it shall not be lawful to open, dig, sink, or deepen any pit or well, or open or work any mine or quarry, or make any excavation or opening, shall from henceforth be increased to the limit of 600 yards; and the said 90th section and the following (91st) section of the said Improvement Act shall henceforth be read as though the distance of 600 yards were substituted for the distance of 300 yards wherever the same is therein mentioned; and all other sections of the said Improvement Act relating to the prevention of injury to the sulphur wells or mineral springs from the working of mines, or the making of pits and wells, or similar causes, or conferring any powers upon the Commissioners in that behalf, shall be taken to have reference to such increased distance as aforesaid: Provided always, that such alteration of the said clauses shall not affect or render unlawful any act or thing heretofore lawfully done, or empower the said Commissioners to interfere with any pit, well, mine, quarry, excavation, or opening heretofore lawfully existing at a greater distance than 300 yards from the said Old Sulphur Well, so long as the same is continued in its present state and condition, and shall not be altered or further dealt with in any manner so as to contravene the provisions of the said Improvement Act.

3.—The provisions of the Local Government Act, 1858, and the subsequent Acts incorporated therewith, relating to the audit of the accounts of the Local Board, shall apply to the accounts of the monies received and expended by the said Commissioners in the execution of the said Improvement Act, so far as the same remains unrepealed, and of the Local Government Act, so far as the same is incorporated therewith.

4.—It shall henceforth be lawful for the said Commissioners, for the purposes of the said Improvement Act, and of the Local Government Act, 1858, to exercise all the powers of borrowing money granted to Local Boards by the 57th section of the said Local Government Act, 1858, for the purposes of that Act, and to charge any sums of money so borrowed, and the interest of the same, upon all or any of the rates and charges authorized to be made and levied by the said Improvement Act, or the Local Government Act, 1858, or other Acts incorporated therewith, subject nevertheless to the regulations and restrictions in the said 57th section contained, and to all charges heretofore lawfully made upon any such rates.

5.—For the purposes of the exercise and execution within the District of the said Harrogate Improvement Act of all the powers and provisions of the Local Government Act, 1858, and every other Act incorporated therewith, and now in force within the said District, the word "Street" shall be interpreted as in the 235th section of the said Improvement Act.

6.—The repeal of the 135th section of the said Improvement Act shall not in anywise prejudice or interfere with any contract at present subsisting between the said Commissioners and any company, person or persons, with reference to the lighting of streets, but the same shall continue and be in force notwithstanding anything contained herein or in the said Local Government Act, 1858, or any Act incorporated therewith; and all sums of money becoming hereafter payable under any such contract shall be payable in the manner provided by the said Local Government Act, 1858, or any Act incorporated therewith, with respect to expenses incurred by Local Boards in lighting streets.

Provided always, that the repeal of the several sections of the Harrogate Improvement Act herein-before enumerated shall not affect, destroy, or invalidate any mortgage, security, contract, or obligation duly entered into under any of the provisions of the said Act, but the same shall, so far as at present existing, continue in full effect and be enforced in like manner and to the same extent as if the said sections had not been repealed; and all acts, proceedings at law or equity, and other matters and things commenced under the same, but not yet completed, shall proceed to completion in like manner, unless the same can be completed by the operation of the law otherwise applicable to the same; and the repeal of the said sections shall not prevent the prosecution of or other proceedings against persons charged with offences under the provisions of the said Harrogate Improvement Act in respect to matters provided for by the said sections now repealed, but such prosecutions or other proceedings may be commenced and completed as though the said sections were still in force.

Given under my hand this Sixth day of June One thousand eight hundred and sixty-six.

(Signed) G. Grey.

ST. LEONARD.

Provisional Order for the Alteration and Amendment of the St. Leonard's Improvement Act, 1832, in force within the District of the St. Leonard's Local Board.

Whereas the Commissioners acting in execution of a certain Local Act of Parliament passed in the second year of the reign of King William the Fourth (cap. 45), intituled "An Act for better paving, lighting, watching, and other-" wise improving the Town of St. Leonard, in the County of Sussex," have duly adopted parts of the Local Government Act, 1858, in and for the said Town of St. Leonard:

And whereas the said Commissioners, acting as a Local Board under and for the purposes of the said Local Government Act, have, in pursuance of the said Act, presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration, amendment, and partial repeal of the said Local Act, being an Act in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any Corporation, Company, Undertakers, or Individuals, for their own pecuniary benefit, and for other purposes in such petition set forth:

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District by Robert Morgan, Esquire, the Inspector appointed for such purpose, in respect of the several matters mentioned in the said petition:

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament:

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

The Local Act aforesaid of 2 W. 4. c. 45. shall be altered and amended as follows, and shall be read and have effect accordingly:—

1. The fourth section of the said Act of the 2 W. 4. c. 45. shall be repealed, and that in lieu thereof it be enacted that no person hereafter to be elected or appointed a Commissioner in the execution of the said Act as amended or altered for the time being by any other Act or Acts of Parliament shall be capable of acting as such Commissioner, unless he shall at the time of his acting be in his own right or in right of his wife in the actual possession or in the receipt of the rents and profits of freehold lands, tenements, or hereditaments, or of leasehold lands, tenements, or hereditaments granted originally for a term of sixty years at the least, situate within the limits of "the town of St. Leonard," of the clear yearly value of twenty pounds over and above the ground rent, if any, or of both species of property amounting together to the clear yearly value of twenty pounds over and above the ground rent (if any), or unless he shall at the time of his acting be then residing and shall have been for the last three years resident within the limits of "the town of St. Leonard," and also shall be then rated, and shall have been for each of the last three years rated, in the rate books of "the town of St. Leonard" at the sum of seventy pounds per annum (in the aggregate) or more in respect of lands, tenements, or hereditaments situate within the limits of "the town of St. Leonard," nor unless he shall have taken and subscribed an oath, or being one of the people called Quakers made and subscribed an affirmation, to the following effect; that is to say

'I *A.B.* do swear [or being one of the People called Quakers do 'solemnly affirm] (that I am in my own right or in the right of my 'wife in the actual possession or receipt of the rents and profits for 'an estate of freehold [or being leasehold for a leasehold estate, or, if 'consisting of both species of property, for an estate of freehold with 'a leasehold estate granted originally for a term of sixty years at 'the least of and in lands, tenements, or hereditaments of the clear 'yearly value of twenty pounds over and above the ground rent, if 'any), [or qualifying as a ratepayer, that I am now residing and have 'been for the last three years resident within the limits of "the 'town of St. Leonard," and that I am now rated, and have been 'for each of the last three years rated, in the rate books of the 'town of St. Leonard at the sum of seventy pounds per annum '(in the aggregate) or more in respect of lands, tenements, or hereditaments,] situate within the limits of a Local Act passed in the second year of the reign of King William the Fourth, intituled [here set forth the title of the said Local Act], and that I will not at any time during the period I shall remain a Commissioner under the said Act of Parliament directly or indirectly be concerned or interested in or derive any pecuniary or other advantage from any contract which by virtue of the said Act shall during such time as I am a Commissioner be entered into, and that I will impartially and honestly, according to the best of my skill and knowledge, execute the several trusts, powers, and authorities reposed in me as a Commissioner by virtue of the said Act.

'So help me God.

'[Or being a Quaker omit the words "So help me God."]'

2. The words "a greater number of Commissioners by three at least "shall attend than were present when such Order was made," contained in the 10th section of the said Act of Parliament of the 2 W. 4. c. 45., be repealed, and that it be enacted that in lieu thereof the following words shall be inserted, namely, "a majority "of the Commissioners for the time being acting under the said "Act concur in such alteration, amendment, or suspension."

3. The proviso at the end of the 31st section of the said Act of Parliament of the 2 W. 4. c. 45., beginning with the words "Provided always" and ending with the word "town," shall be repealed, and that the said Act be read and construed as if the said proviso at the end of the 31st section thereof had not been inserted in such section.

4. So much of the 96th section of the said Local Act as begins with the words "so as such rate or rates," and concluding with the words "to be ascertained in manner herein-after mentioned," inclusive of such words respectively, shall be repealed; provided always, that the rate or rates or assessment or assessments (to be made under the unrepealed portion of the said 96th section of the said Local Act) shall not exceed in the whole in any one year the sum of three shillings in the pound for houses, shops, warehouses, coach-houses, stables, cellars, buildings, gardens, grounds, tenements, and hereditaments, according to the real rack-rent or full yearly value of the same respectively.

Given under my hand this First day of June, in the year One thousand eight hundred and sixty-six.

(Signed) G. Grey.

WEDNESFIELD.

Provisional Order for altering the Boundaries of the District of Wednesfield in the County of Stafford, under the Provisions of the Local Government Act, 1858.

WHEREAS Petitions have been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, and duly signed by the Local Board for the District of Wednesfield in the County of Stafford, and others, praying for an alteration of the existing boundary of the said District, or in relation to such proposed alteration:

AND WHEREAS, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petitions, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for such purpose:

AND WHEREAS it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

NOW, THEREFORE, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for Wednesfield in the County of Stafford be altered by there being separated therefrom all that portion of the said District of the Township of Wednesfield aforesaid comprising the Ecclesiastical District of the Holy Trinity (or Wednesfield Heath, sometimes called Heath Town), the line of separation following the ridge of high ground as nearly as the Boundaries will allow, as defined and shown upon the Map of Wednesfield District prepared by the said Local Board, approved by me as one of Her Majesty's Principal Secretaries of State, and deposited at the Office of the Local Board aforesaid. The line of Boundaries in question commences at the point A shown on such Plan at the Boundary between the Townships of Bushbury and Wednesfield, thence along the east fence of field No. 1101 to B, thence crossing the field No. 1095 to C, thence along the east fence of fields No. 1103 and 1105 to D at Thorney Croft Lane, thence on the north side of the said lane to E, thence crossing the said lane and along the east fence of fields Nos. 1080, 1079, and 1077 to F, thence westward along the north fence of fields No. 710 and 709 to G, thence along the east fence of fields No. 704 and 706 to the road from Wolverhampton to Wednesfield, thence crossing the said road, and along the east side of field No. 688, and the end of field No. 687 to H, on the south side of the Essington Canal, thence along the east fence of fields No. 493, 494, 491 and 467 to I, thence crossing field No. 464 to J, thence along the west fence of field

No. 463 to K, on the south side of the London and North-western Railway, thence eastward along the south side of the said Railway to L, thence again on the south side of the said Railway to M at the Porto Bello Station on the Boundary between the Townships of Wednesfield and Willenhall, thus completing the line of division.

2.—At every election of the nine members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confiming this Order the members to be elected shall be elected for the Wednesfield Local Board District as altered by this Order, and by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Twentieth day of March, in the year One thousand eight hundred and sixty-six.

(Signed) G. Grey.

ABERDARE.

Provisional Order for altering the Boundaries of the District of Aberdare in the County of Glamorgan, under the Provisions of the Local Government Act, 1858.

Whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the Provisions of the 77th section. of the Local Government Act, 1858, duly signed by Owners of Property and Ratepayers within the Ecclesiastical District of Saint Margaret, Aberdare, part of which is situate within the District of the Local Board of Health for the District of Aberdare in the County of Glamorgan, praying for an alteration of the existing boundary of the said District of Aberdare:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Arnold Taylor, Esquire, the Inspector appointed by me for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board of Health for Aberdare in the County of Glamorgan be altered by there being separated therefrom the following portion of the said Ecclesiastical District of Saint Margaret, Aberdare, which is situate within such Aberdare District, such separated portion (to be styled the Mountain Ash District, Aberdare,) to be bounded as follows:

The boundary commences at the point A at the point of junction between the boundaries of the Parishes of Aberdare and Llanwynno and the Ecclesiastical District of St. Margaret's (Aberdare), respectively; thence in a north-easterly direction, following the line dividing the parish of Aberdare from such Ecclesiastical District of Saint Margaret's (Aberdare), to the point B; thence in a straight line easterly, and crossing the Aberdare Canal, to the point C on the east side of such canal; thence in an easterly direction, following the north boundary fences of the properties numbered 646 and 671 on the Tithe Map, and the westerly boundaries of the properties numbered 694, 695, and 696 on the Tithe Map, and crossing the occupation road leading to Pen-y-graig, to the point D on the north side of such road; thence following and including such road to its point of junction with the Cefn Penner Road leading from Mountain Ash to Merthyr Tydfil at the point E; thence in a northerly direction, following and including such road, and crossing the parish road leading to Aberdare, to the point F on the north side of such road; thence following and including the Cefn Penner Road leading from Mountain Ash to Merthyr Tydfil, and crossing such road in an easterly direction; thence following and including the occupation road leading to Ty Howell ap Ivor to the point G; thence in an easterly direction, following the south boundary fences of the properties numbered 705, 706, 707, 793, and 791, to the point H at the boundary line separating the parish of Merthyr Tydfil from the Ecclesiastical District of Saint Margaret's (Aberdare); thence in a southerly direction, and following such boundary line, to the point I; and from thence, following the line separating the parish of Aberdare from the parish of Llanwynno, to the starting point at A;—so completing the boundary of the District as defined and shown upon the Map (approved by me as one of Her Majesty's Principal Secretaries of State, and deposited at the office of the Local Board aforesaid).

2.—At every election of the members of the Aberdare Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order the members to be elected shall be elected for such Aberdare Local Board District as altered by this Order, and by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Nineteenth day of March, in the year One thousand eight hundred and sixty-six.

(Signed) G. GREY.

BRISTOL.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Bristol Local Board of Health, for the Purchase of Lands by the said Board for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the City of Bristol, being, by the Council of the City, the Local Board of Health in and for the District of the City and County of Bristol, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1851, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board of Health, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land for the purpose of widening, enlarging, and improving certain streets and highways, and for making certain new streets, in the said City and County, such land being situate within the District of the said Local Board of Health:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, as shown in the Plan accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such petition, Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the City of Bristol, being, by the Council of the said City, the Local Board of Health for the District of the City and County of Bristol, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

2.—If the Local Board of Health for the City and County of Bristol shall desire, under the authority of this Provisional Order or of the Act confirming the same, to alter the level, direction, or situation of any street or road, or to cause an interference with the access to any of the main or service water pipes of the Bristol Waterworks Company, so as to render necessary the removal or the alteration of the position or level of any of the said main or service water pipes, the said Local Board shall give to the said Company fourteen days notice of such desire, and the Company shall forthwith make such removal or alteration as may be so rendered necessary as aforesaid, and do all works incident thereto, and all expenses to be thereby incurred shall be defrayed by the said Local Board.

3.—Nothing contained in this Provisional Order, or in the Act confirming the same, shall interfere with the exercise by the Bristol Waterworks Company of the powers and privileges conferred upon them by any Acts or Act of Parliament of laying down and maintaining, and, as occasion may require, of repairing or altering, any mains or pipes in and under any of the public streets or thoroughfares upon which any works or alterations may be made under the authority of this Provisional Order, or of the Act confirming the same.

4.—Nothing contained in this Provisional Order, or in the Act confirming the same, shall interfere with the exercise by the Bristol United Gas Light Company of the powers and privileges conferred upon them by any Acts or Act of Parliament, of laying down and maintaining, and, as occasion may require, of repairing or altering, any mains or pipes in and under any of the public streets or thoroughfares upon which any works or alterations may be made under the authority of this Provisional Order or of the Act confirming the same.

5.—Provided always, that the Local Board of Health, without the previous consent of the Ecclesiastical Commissioners for England, shall not purchase or take for the intended new Street from the South-west corner of College Green to St. George's Road, or for the widening or improving the North side of St. George's Road, between York Place and Waterloo Court, the estate or interest of the said Commissioners in more lands than shall be actually required for the site of the carriage-way and footways of the intended new Street and of the St. George's Road when so widened or improved on the North side thereof.

6.—Provided also, that the Local Board or their assigns shall not erect any building on any part of the spaces under the Bridge proposed to be made over the point of junction of College Street and Brandon Street, as far as the lines colored blue on the plans deposited by the said Local Board, for the purpose of this Provisional Order, but the same spaces respectively shall be left unbuilt upon.

Given under my hand this Fourth day of June, One thousand eight hundred and sixty-six.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following; and the Numbers in Column 1 refer to those on the Plan accompanying the Petition of the Local Board of Health.

Lands and Buildings intended to be taken for the Purpose of making a new Street from the Junction of Thomas Street and Bath Street to the Terminus of the Great Western Railway, and connecting Avon Street with the proposed new Street. The Quantity of Land required for this Undertaking is 38,777 Square Yards.

PARISH OF ST. THOMAS.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
1	House and Shop - -	Sarah Wilkins - Richard Beacham.	William Boucher Francis Boucher.	William Boucher. Francis Boucher.
2	House and Shop -	Elisha Smith Robinson	- - -	Ann Harril.
3	House and Shop, Nos. 141 and 142 Thomas Street, used as one Warehouse.	Sarah Elton - - Edward Elton. Frederick Elton. Alfred Elton.	- - -	Elisha Smith Robinson. Alfred Robinson.
4	House and Shop, No. 4, Bath Street, a Portion of which on the First Floor extends over Part of the Yard of the "Talbot Inn."	Lewis Braham - Frances Matilda Homer.	Julius Rosen -	Julius Rosen. Salu Zachari.
11	Yard which is beneath the Back Rooms of the House No. 4, Bath Street.	Frances Matilda Homer	Robert Comer -	Robert Comer.
4*b*	House and Shop, No. 3, Bath Street.	Samuel Ransford, Trustee for William Blackwell and Emily Blackwell. Frances Matilda Homer.	Maurice Michael	James Simms. James Raybould.
5	House and Shop - -	Maurice Michael - Frances Matilda Homer.	- - -	Maurice Michael.
6	House and Shop - -	The Trustees of the Merchant Tailors Charity. Arthur Palmer. Arthur Hare Palmer. Robert Bruce. William Ody Hare. John Addington Symonds. Francis Ridout Ward. Edward Harley. Charles Edward Ward. Michael Castle. George Garrard. Charles Nash. James Ford. Daniel Burges. James Davison Wadham.	Benjamin Chandler.	Thomas Baker.
7	House and Shop - -	The same -	Benjamin Chandler.	John Braine Taylor. Josiah John Braine Taylor. Sidney William Taylor.
8	House and Shop - -	The same - -	- - -	William Little.
9	House and Shop - -	The same - -	William Taylor	William Taylor.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
10	House and Shop - -	The Trustees of the Merchant Tailors' Charity. Clare Bowles.	Isaac Delve Noake James John Evans.	Edwin Fenner.
11 and 12	The Talbot Inn and Yards, Part of One of the Yards being under Part of No. 4, Bath Street. The Mews called the Talbot Mews.	John Oliver - - Henry Johnson. Louisa Sarah Johnson. Samuel Johnson. Francis Matilda Homer.	Robert Comer -	Robert Comer. Albert Charles Wagner. Robert Comer.
13	House and Shop, Counting-houses, Yards, and Workshops.	Robert Eaton - -	- - -	Robert Downing Collins. Abraham Champion.
14	Carrier's Yard with Offices, House, Warehouses, and Stables.	Alfred Furze, Trustee for Ann Peck, Ann Paul, and others.	Alfred Furze, surviving Trustee of the Will of William Peck, deceased. Sub-Lessees. Isaac Lawes Isaac Lawes, jun.	Isaac Lawes. Isaac Lawes the younger.
15	House and Shop - -	William Henry Richards	Barnett Lazarus	Barnett Lazarus.
16	The "Bell Inn," Yard, Stables, and Outbuildings.	Joseph Williams -	Edwin Hember - Mary Ann Collins.	Edwin Hember. Mary Ann Collins.
17	House and Shop and Workshops and back Yard.	Odiarne Coates Lane, as Trustee of the Marriage Settlement of John Warry and Ann Potter Warry.	John David Ridler	John David Ridler.
18	House and Coach Manufacturing Premises.	Timothy Sampson Powell The Feoffees of St. Mary Redcliff Church Lands. John Hopton Wyld. Richard Jenkins Poole King. John Warry (Keynsham). William Cooper. William Poole King. John Lucas. Joel Gardiner. Thomas Proctor. John Farler (Nailsea). John Warry, junior. John Hare. Michael Bevan Warry. John Hopton Wyld, junior.	- - -	Frederick Craymer.
19	House, Warehouses, Counting-house, Cellars, and Yard.	The Mayor, Aldermen, and Burgesses of the City of Bristol. James Todd as Executor to Estate of the late William Burge. Joseph Cooke Hurle. John Hill. ~~Reverend Charles Elliott.~~ Martha Plummer Maurice.	- -	Frederick Vaughan Weir.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
20	House, Warehouse, and Workshop.	The Mayor, Aldermen, and Burgesses of the City of Bristol. James Todd, Executor to Estate of the late William Burge. Joseph Cooke Hurle. John Hill. Reverend Charles Elliott. Martha Plummer Maurice.	- - -	James Todd.
21	House and Shop, Printing House, and Offices.	George Arnold -	John Wright -	John Wright.
22	Part of the "White Lion" Yard, with Stables, Brewhouse, Beer-cellar, Slaughter-house, and Inn.	George Arnold - -	Thomas Tongue	Thomas Tongue.
23	The Northern Part of the "WhiteLion" Inn Yard, with Kitchen, Malt-house, Stabling, and Shed.	George Arnold - - John Henley.	Thomas Tongue	Thomas Tongue.
24	House and Shop - -	Amos Brittan - -	- - -	Thomas Allway. Henry Liddon. Thomas Tongue.
25	House - - -	Herbert Riddle - Robert Gay Barrow. William Done Bushell. William Sanders. Thomas Richard Sanders. Henry Sanders.	- - -	Edwin Hopkins. James Hopkins. Mary Tomlins. Lavinia Harding. Benjamin Cleck. William Bignall. Emanuel Roberts.
26	Stable and Warehouse -	Herbert Riddle - Robert Gay Barrow. William Done Bushell. William Sanders. Thomas Richard Sanders. Henry Sanders.	- - -	Thomas Cole.
27	Stable and Workshops and Warehouse.	Herbert Riddle - Robert Gay Barrow. William Done Bushell. William Sanders. Thomas Richard Sanders. Henry Sanders.	- - -	William Clark. Robert Clark.
28	House - - -	George Arnold - -	- - -	Daniel Henry Mac Carthy.
29	Long Row, Part of Street or Lane, Public Carriageway and Footway.	The Local Board of Health.	- - -	The Local Board of Health. Bristol United Gas Company. Bristol Waterworks Company.
30	The Three Kings Inn, and Yards and Stables and Shed.	John Crew - -	- - -	John Crew.

PARISH OF TEMPLE.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
1	House and Shop in Temple Street, Yard and Bakehouse and Stables behind, also Two Tenements in Long Row, and Stables and Coachhouse.	The Ecclesiastical Commissioners in London. The Feoffees of Temple Church Lands. John Hare. Sholto Vere Hare. Edward Prichard. Joseph Haythorne Gwyer. George Wright Gwyer. Conrad William Finzel. John Longman. Henry Scott Lawrence. Robert Norris. George Cooper. John Hopton Wylde. William Hopton Wylde. William Augustus Frederick Powell. Frederick Amory. James Henry Amory. William Boucher. Francis Boucher.	George Cooper -	George Cooper.
2	Hauling Way, Yard, and Stabling.	The Feoffees of Temple Church Lands.	John Crew -	John Crew.
3	House and Shop -	The same - -	John Crew -	Ann Gunningham.
4	The Cross Keys Inn, with Yard, Brewhouse, and Offices.	The same - -	Nehemiah Newman.	William Parr.
5	Part of Stable, Workshops, and Warehouse, Numbered 27 on Plan, in the Parish of St. Thomas.	Herbert Riddle - Robert Gay Barrow. William Done Bushell. William Sanders. Thomas Richard Sanders. Henry Sanders.	- - -	William Clark. Robert Clark.
6	House and Shop, No. , Temple Street.	The Mayor, Aldermen, and Burgesses of the City of Bristol. Catherine Winter.	- - -	John Salter.
7	Tenement in Court behind No. , Temple Street.	The same - -	- - -	John Rollins.
8	Tenement in Court behind No. , Temple Street.	The same - -	- - -	William Withey.
9	House and Shop -	The same - -	- - -	Joseph Isaac.
10	House, with Passage to the Synagogue, also the Synagogue and Vestry Rooms, &c. connected with it.	The Trustees of the Jews Synagogue and Premises. Abraham Alexander. William Wolf Alexander. Levy Levy. Moses Blanckensee. Joseph Abraham. Abraham Moseley. Joseph Michael. Jonas Rousseau. John Solomon, junior.	- - -	Reverend Joseph Benjamin.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners	Names of Lessees or reputed Lessees.	Names of Occupiers.
10 *cont.*	House, &c.—*cont.*	Philip Douglas Alexander. Joseph Michael Platnauer. Moss Cohen. Henry Simmons.		
11	House and Shop, Yard, Straw and Cow Houses.	The Mayor, Aldermen, and Burgesses of the City of Bristol. Robert Simms.	-	Robert Simms.
12	Tenement in Yard behind No. 135, Temple Street.	The same	-	Void.
13	House and Shop, and Workshop behind, with Passage to Court.	The Mayor, Aldermen, and Burgesses of the City of Bristol. Elizabeth Sanders.	-	Daniel Taunton.
14	Tenement in Court	The same	-	Joseph Stocker.
15	Tenement in Court	The same	-	Benjamin Mansfield.
16	Tenement in Court	The same	-	Thomas Angle.
17	House and Shop and Workshop in Court behind.	The same	-	George Hayter.
18	House and Shop, Yard, and Slaughter-house.	The Mayor, Aldermen, and Burgesses of the City of Bristol. Robert Simms.	-	John Nicholls.
19	House and Shop	Charles Price	-	George Wyatt.
20	Porter's House, Passage to Potteries Yard, and Manufacturing Premises.	Charles Price	-	Joseph Read Price. Charles Price the younger. Samuel Newall Price. Alfred Newall Price.
21	House and Shop, Yard, and Bakehouses.	Elizabeth Clarke	-	William Horlick.
22	House and Shop	James Antrobus Mary Lætitia Dodderell. Daniel Taylor Dodderell. George John Dodderrell.	-	Cleophas Shaddick.
23	The Lamb and Flag Inn and Premises.	The Feoffees of Temple Church Lands.	Isaac Bizley William Wellington Ball. Frederick Henry Ball.	Isaac Bizley.
24	House and Shop, Yard and Warehouses, Yard and Tenements.	The same	Samuel Gustavus Clements.	William Orchard.
25	House and Premises called the Temple Dining Hall.	Joseph Read Price	Albert Fry Frederick Wills. William Greenslade.	George Hole.
26	Manufacturing Premises behind No. 125, Temple Street.	Joseph Read Price	-	Joseph Read Price. Charles Price the younger. Samuel Newall Price. Alfred Newall Price.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
27	House and Shop, with Passage to Pottery of Two Kilns, Yard, and Warehouse.	The Feoffees of St. Thomas Church Lands. William Vawer Lott. William Merrett Webb. Samuel Jacques Fear. John Bessen Moore. James Henry Amory. William Boucher. John Dennis. Edwin Gale. Henry Wansbrough. James Godwin. John Wansbrough. John William Lucas. George William Stuckey Clarke. Edward Peters. Faulkner Taylor. Joseph Boon Powell. Benjamin Thomas. Joseph Weston. Elisha Smith Robinson. Alfred Robinson. Francis Boucher. Robert Christie Ward. Charles Robertson. Henry William Sayles. William George. Conrad William Finzel. Zachariah Cartwright.	Edward Melsom Martha Melsom. Francis Melsom.	Francis Melsom.
28	Beerhouse, Passage, Yard, and Slaughter-houses.	Daniel Weymouth	- - -	William Bush.
29	House and Shop, Yard, and Workshops.	The Feoffees of Temple Church Lands.	Harriet Ball Williams.	John Bailey.
30	The "George and Dragon" Inn.	Harriet Ball Williams	- - -	Benjamin Sarjeant.
31	Tenement - -	Harriet Ball Williams	- - -	Thomas Brown.
32	Tenement - -	Harriet Ball Williams	- - -	Richard Beer.
33	Tenement - -	Harriet Ball Williams	- - -	John Lake.
34	Tenement - -	Harriet Ball Williams	- - -	Ann Elliot.
35	Tenement - -	Harriet Ball Williams	- - -	Void.
36	Tenement - -	Harriet Ball Williams	- - -	Mary Garrett. John Owen. Robert Ford.
37	House and Shop - -	Harriet Ball Williams	- - -	Frederick Green.
38	House, Shop, and Passage to Milsoms Court.	Abraham Atchley Mary Atchley.	Ann Hillman	Ann Hillman.
39	Tenement in Milsoms Court.	Abraham Atchley Mary Atchley.	Ann Hillman	John Harrison.
40	Tenement - -	Abraham Atchley Mary Atchley.	Ann Hillman	James Thomas.
41	Tenement - -	Abraham Atchley Mary Atchley.	Ann Hillman	James Earl.
42	Tenement - -	Abraham Atchley Mary Atchley.	Ann Hillman	Abraham Dawes.
43	Tenement - -	Abraham Atchley Mary Atchley.	Ann Hillman	William Horn.
44	Tenement - -	Abraham Atchley Mary Atchley.	Ann Hillman	James Slewter.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
45	House and Shop, Yard, Warehouse, Bakery.	Richard Phillips John White. George Cooper. Joseph Haythorne Gwyer, as Trustee and Guardians of the Temple "Blue Girls" School.	- - -	John Hill.
46	House, Counting-houses, Yard, and Cooperage.	William Boone Samuel Richards Boone. Hugh Boone. Thomas John Boone.	- - -	William Boone. Samuel Richards Boone.
47	House and Shop	William Boone Samuel Richards Boone. Hugh Boone. Thomas John Boone.	- - -	Alfred Partridge.
48	House and Shop and Yard Tenement behind Tenement behind } uninhabitable.	The Corporation of the Poor.	- - -	John Totterdill.
49	The "Marquis of Worcester" Beerhouse.	The Mayor, Aldermen, and Burgesses of the City of Bristol. The Churchwardens of St. Peter's, Bristol. George Henry Pike. William Randall.	Elizabeth Hare (Lady).	James Ashley.
50	Stable and Loft	The same	Elizabeth Hare	James Ashley. John White.
51	Tenement and Part of Yard behind.	Henry Wildgoose	Edwin Hill	John Weston. Edwin Hill.
52	House and Shop and Part of Yard behind.	Henry Wildgoose	Edwin Hill	Edwin Hill. John Weston.
53	House and Shop, Yard, and Curriers Workshops and Offices.	Esther Weaver George William Baller.	- - -	Esther Weaver.
54	House with two Shops and Passageway to "Crown Court."	Jane Bailey	- - -	Simeon Pearce. George Simms.
55	House and Shop and Warehouses.	Esther Weaver	- -	Esther Weaver.
56	"Stevens" Almshouse	The Trustees Timothy Sampson Powell. Edward Sampson. Charles Edward Ward. Francis Ridout Ward. Lionel Oliver Bigg. John Fortescue Fortescue Brickdale. Matthew Inglett Brickdale. John Savage. Francis Savage.	- - -	Elizabeth Watson. Mary Ann Priddy. Ann Cross. Sarah Ridler. Harriet Crooker. Sarah Webster. Elizabeth White. Ann Simms. Elizabeth Collings. Elizabeth Andrews. Ann Boulting.
57	House and Shop, Bakery, Outbuildings, and Garden.	Jane Windo Samuel Burt. George William Baller.	- - -	Robert Norris.
58	Beershop and House	John Owen	Thomas Arnold Stephen William Arnold.	John Leach.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
59	Public Footway leading to Temple Place.	John Owen - -	- - -	The Local Board of Health. The Bristol United Gas Company. The Bristol Waterworks Company.
60	House and Shop, Yard, and Warehouse or Store Sheds.	Francis Garrett Palmer	- -	William Baker.
61	House and Shop, Outbuildings and Garden.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Jane House -	Jane House.
62	Warehouse - -	Henry Shaw - - Eliza Shaw. Georgiana Augusta Brittan. George Cole. Mary Cannington. Robert Cuthbert Storrow. Sarah Storrow. Robert Cuthbert Storrow as Trustee for Elizabeth Williams. Daniel James Crabtree. Robert Cuthbert Storrow, Executor to Estate of the late Daniel Crabtree. Sarah Crabtree.	- - -	Jane House. Samuel Bissicks.
63	Dwelling House, Yards, and School called "Colston's Temple Boys School."	Trustees - - John Fortescue Fortescue Brickdale. Rev. John Joseph Ebbsworth. Charles Edward Ward. Matthew Inglett Brickdale. John Longman. John Wine. Conrad William Finzel. John Hare. Odiarne Coates Lane. Timothy Sampson Powell. Joseph Haythorne Gwyer. Rev. George Crewell Salt.	- -	None, the Premises being built.
64	House and Shop - -	John Longman - George William Baller.	- - -	Caroline Adams.
65	House and Malthouses, Kilns, Yard, and Stable.	John Longman - Thomas Hine.	- - -	William Wellington Ball. Frederick Henry Ball.
66 67	Passage and School { Temple Parish Girls School-house formerly the Weavers Hall.	The Vestry of Temple Parish. Reverend Fountain Elwyn. Thomas Carlile. George Cooper. Richard Phillips. Joseph Haythorne Gwyer. John White. George William Baller.	Richard Phillips as Trustee of the School.	Richard Phillips.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
68	House and Shop and back Offices in Yard behind.	Matthew Voisey George William Baller.	- - -	Jasper Miller.
69	House and Shop and back Offices in Yard behind.	Matthew Voisey George William Baller.	- - -	Henry Allen.
70	House and Shop and back Offices in Yard behind, also small enclosed Yard.	Matthew Voisey George William Baller.	- - -	John Howell.
71	House and Shop, back Offices in Yard, small Yard, and Stable and Privy.	Matthew Voisey George William Baller.	- - -	John Westcott.
72	Tenement in Yard, with small enclosed Yard, and Two Workshops; Garden.	Matthew Voisey George William Baller.	- - -	John Hallett.
72*a*	Yard	Matthew Voisey George William Baller.	- - -	Jasper Miller. Henry Allen. John Howell. John Westcott. John Hallett.
73	House and Shop, Yard and Passage.	Harriet Meredith	- - -	Elizabeth Bridge.
74	Smiths Workshops	Harriet Meredith	- - -	William Poole.
75	Tenement in Yard, Garden, and Office.	Harriet Meredith	- - -	John Morrish.
76	House and Shop	Harriet Meredith	- - -	Thomas Riley.
77	Warehouse	Frederick Gare	- - -	Frederick Gare.
78	The "Weavers Arms" Public-house, Brewhouse, Cooperage, and Passage to Court.	Simon Heale	- - -	Richard Adams.
79	Court called Weavers Arms Court.	Simon Heale	- - -	The Local Board of Health. The Bristol United Gas Company. The Bristol Waterworks Company.
80	Tenement in Court	Simon Heale	- - -	Thomas Neale.
81	Tenement in Court	Simon Heale	- - -	Edward Bowerman.
82	Tenement in Court	Simon Heale	- - -	William Lewis.
83	Tenement in Court	Simon Heale	- - -	William Moxhay.
83*b*	Tenement In Court	Simon Heale	- - -	Abraham Jones.
83*c*	Tenement in Court	Simon Heale	- - -	William Palmer.
84	House and Shop	Simon Heale	- - -	George Bunn.
85	House and Shop	Simon Heale	- - -	William Honeywell.
86	House, Shop, and Bakehouse and Yard.	Matthew Perkins William Taylor. William Frayne. Devisees upon Trust under the Will of John Taylor, deceased. Thomas Hine, Executor to late Samuel Miles.	- - -	Samuel Vowles.
87	House and Shop, Yard, Warehouse, and Stable.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	The Representatives of Richard and George Hill. Henry Lee. James Foster. Sarah Foster.	Samuel Seex.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
88	The "Cross Guns" Public-house.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Representatives of Richard Hill and George Hill. Henry Lee. James Foster. Sarah Foster.	Jane Webb.
89	The "Exeter" Tavern	The same	Representatives of Richard Hill and George Hill. Henry Lee. James Foster. Sarah Foster.	George Gallop.
90	Prince Eugene Lane, Part of Street or Lane, public Carriage and Footway.	The Local Board of Health.	-	The Local Board of Health. The Bristol United Gas Company. The Bristol Waterworks Company.
91	House, Yard, and Sheds	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Representatives of Richard Hill and George Hill. Henry Lee. James Foster. Sarah Foster.	George Higgins.
92	Tenement	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Representatives of Richard Hill and George Hill. Henry Lee. James Foster. Sarah Foster.	John Watkins.
93	Tenement	The same	Representatives of Richard Hill and George Hill. Henry Lee. James Foster. Sarah Foster.	William Derrick.
94	Tenement	John Phillips	-	John Ollis.
95	Passage to Taylors Court	William Taylor William Frayne. John Frayne. Jane Frayne. Thomas Hine.	-	The Local Board of Health. The Bristol United Gas Company. The Bristol Waterworks Company.
96	Tenement in Taylors Court.	Matthew Perkins William Taylor. William Frayne. Devisees upon Trust under the Will of John Taylor, deceased. Thomas Hine.	-	Joseph Hosegood.
96*b*	Tenement in Taylors Court.	The same	-	Edward Williams.
97	Tenement in Taylors Court.	The same	-	Sarah Cook.
98	Cellar beneath Stable belonging to John Longman and Thomas Hine marked also 65 on Plan.	William Wellington Ball Frederick Henry Ball. Samuel Alexander. Trustees for Jane Ann Ball, Louisa Singer Ball, Ellen Ball. Thomas Hine.	-	Joseph Reeve.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
99	Entrance Passage and Part of Court of Willmot's Crescent.	Harriet Ann Willmott Thomas Hine.	- - -	The Local Board of Health. The Bristol United Gas Company. The Bristol Waterworks Company.
100	Tenement in Willmott's Crescent.	Harriet Ann Willmot - Thomas Hine.	- - -	Richard Haskins.
100*b*	Courtyard - -	Harriet Ann Willmot - Thomas Hine.	- - -	Richard Haskins. Emma James.
101	Tenement - - -	Harriet Ann Willmot - Thomas Hine.	- - -	Emma James.
102	Tenement - -	Harriet Ann Willmot - Thomas Hine.	- - -	Joseph Peacock.
103	Tenement - - -	Harriet Ann Willmot - Thomas Hine.	- - -	James Sellers.
104	Tenement - -	Harriet Ann Willmot - Thomas Hine.	- - -	Joseph Groves.
105	Tenement - - -	William Frayne - John Frayne. Jane Frayne.	- - -	Francis William Biggs.
106	Tenement - -	William Frayne - John Frayne. Jane Frayne.	- -	John Cleck.
107	Tenement and Coal Store	William Frayne - John Frayne. Jane Frayne.	- - -	William Hughes.
108	Tenement - -	John Waller - William Maule. Trustees for Harriet Dew.	- - -	George Vile.
109	Tenement (Noake's Place), Prince Eugene Lane.	Augustus Bowles - Clare Bowles.	- - -	John Woodward.
110	Tenement - - -	Augustus Bowles - Clare Bowles.	- - -	James Fry.
111	Tenement - -	Augustus Bowles - Clare Bowles.	- - -	Thomas James.
112	Tenement - - -	Augustus Bowles - Clare Bowles.	- - -	Edward Ames.
113	Tenement (Noakes Place)	Augustus Bowles - Clare Bowles.	- - -	James Tucker.
114	Tenement - -	Augustus Bowles - Clare Bowles.	- - -	John Frape.
116	Tenement - - -	Augustus Bowles - Clare Bowles.	- - -	William Allbrook.
117	Tenement - -	Augustus Bowles - Clare Bowles.	- - -	Thomas Lovell.
115	Court and Passage of same	Augustus Bowles - Clare Bowles.	- - -	The Local Board of Health. The Bristol United Gas Company. The Bristol Waterworks Company.
118	Warehouses and Yard (and House and Shop in Temple Street).	Edward Sladen Wallis -	- - -	Edward Sladen Wallis.
119	House and Shop -	Reverend Daniel Griffiths. Thomas Hine.	- - -	Harriet Cox.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
120	Yard, Sheds, Offices, Counting-house, Manufactory, Warehouses, Outbuildings, and Garden Ground.	Harriet Ann Wilmot - Thomas Hine.	Abraham Levy -	Abraham Levy.
121	Land formerly Part of Morris' Court.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	- - -	William Sage. Harriet Sage.
122	Land formerly Part of Morris' Court.	Edward Daniel - Executor to late Henry Daniel.	- - -	William Sage. Harriet Sage.
123	Tenement in "Union Place."	Mary Ann Kennett Dawson.	- - -	Mark Hope.
124	Tenement - -	Mary Ann Kennett Dawson.	- - -	Edward Lee.
125	Tenement - -	Mary Ann Kennett Dawson.	- - -	William James Francis.
126	Tenement - -	M. A. Kennett Dawson	- - -	John Curnock.
127	Tenement - -	M. A. Kennett Dawson	- - -	James Davis.
128	Tenement - -	M. A. Kennett Dawson	- - -	Robert Peet.
129	Tenement - -	M. A. Kennett Dawson	- - -	James Banbury.
130	The Court and Passage called Union Place.	M. A. Kennett Dawson	- - -	The Local Board of Health. Bristol United Gas Company. Bristol Waterworks Company.
131	Tenement - -	M. A. Kennett Dawson	- - -	William Hope.
132	Tenement - -	M. A. Kennett Dawson	- - -	Noah Green.
133	Tenement in Union Place	M. A. Kennett Dawson	- - -	Thomas Davis.
134	Tenement - -	M. A. Kennett Dawson	- - -	William Pickard.
135	Shop and Workshops, Yard and Tenement.	M. A. Kennett Dawson	Richard Starkey	Richard Starkey.
136	Yard, Slaughter-houses, and Stable.	M. A. Kennett Dawson	- - -	William Hardwell.
136*b*	Stable - - -	M. A. Kennett Dawson	- - -	William Hardwell. Thomas Edmunds.
137	Tenement - -	The Mayor, Aldermen, and Burgesses of the City of Bristol.	- - -	Charles Sheppard.
138	Tenement - -	The same - -	- - -	James Couborn.
139	Tenement - -	The same - -	- -	Edward Austin.
140	Tenement - -	The same - -	- -	Peter Anderson.
141	Tenement in Rose Alley -	Mary Arnold - - Thomas Wintle.	- - -	William Spray.
142	Tenement - -	Mary Arnold - - Thomas Wintle.	- - -	John Pearce.
143	Tenement in Rose Alley -	Nathaniel Lomas -	- - -	William Seager.
144	Pipe Lane, Part of Land formerly Swan Court.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	- - -	The Local Board of Health. Bristol United Gas Company. Bristol Waterworks Company.
145	Tenement - -	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Mathew Perkins William Taylor. William Frayne. Devisees in Trust under the Will of John Taylor.	Esther Joseph.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
145 *cont.*	Tenement—*cont.*	The Mayor, Aldermen, and Burgesses of the City of Bristol.	William Henry Williams. John Faithful Fortescue. Reverend Frederick Edgill Williams.	
146	Warehouse	The same	Fitz-William Wickham. Ann Hole. Reverend Frederick Edgill Williams. William Henry Williams. John Faithful Fortescue.	Fitz-William Wickham. Richard Fry.
147	Stables, Yard, and Cart-houses and Shed.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Ann Hole Reverend Frederick Edgill Williams. William Henry Williams. John Faithful Fortescue.	Reuben Hemborough.
147*b*	Stables, Yard, and Blacksmith's Shop.	The same	Ann Hole Reverend Frederick Edgill Williams. William Henry Williams. John Faithful Fortescue.	Reuben Hembrough. John Pring.
147*c*	The "Foresters Rest" Beerhouse.	The same	Ann Hole Reverend Frederick Edgill Williams. William Henry Williams. John Faithful Fortescue.	Joseph Tanner.
148	The "George Inn," Yards, Stables, Wine and Spirit Shop, and Offices.	Jacob Strickland as Trustee of the Marriage Settlement of C. A. Gibson and Gibson.	- - -	Rebecca Pring.
149	House and Weighing Engine.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	- - -	Rebecca Pring.
150	Part of the Yard of the Great Western Railway Company.	The Great Western Railway Company.	- - -	The Great Western Railway Company.
151	Yard, with Counting-house, Office, and Shed.	The same	- - -	FitzWilliam Wickham. Richard Fry.
152	Timber Yard with Saw-pits.	Jacob Strickland, as Trustee of the Marriage Settlement of C. A. Gibson and Gibson his Wife.	- - -	Rebecca Pring. FitzWilliam Wickham. Richard Fry.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
153	Tenement with right of Way through Courtyard of Tanner's Cottages into Pipe Lane.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Thomas Harris Smith. Reverend Frederick Edgill Williams. William Henry Williams. John Faithful Fortescue.	Rebecca Pring. Richard Fry. FitzWilliam Wickham.
154	The "Full Moon" Beerhouse in Pipe Lane.	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Thomas Wintle - Reverend Francis Barnes. John Crowther Gwyn. Executors and Trustees of late George Lewis. The Representatives (if any) of the late Lionel Emdin. Reverend Frederick Edgill Williams. William Henry Williams. John Faithful Fortescue.	Thomas Chidsey.
155	Tenement - - -	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Thomas Wintle - Reverend Francis Barnes. John Crowther Gwyn. Executors and Trustees of late George Lewis. The Representatives (if any) of the late Lionel Emdin. Reverend Frederick Edgill Williams. William Henry Williams. John Faithful Fortescue.	Caroline Smith.
156	Tenement in Pipe Lane -	The Mayor, Aldermen, and Burgesses of the City of Bristol.	Charles Iles - Reverend Frederick Edgill Williams. William Henry Williams. John Faithful Fortescue.	Charles Elliott

Lands and Buildings intended to be taken for the Purpose of widening, altering the Gradients of, and otherwise improving Cow Street and Park Street, and also Frogmore Street and Frog Lane at their Junction with the said two last-mentioned Streets, and raising the Level of Hanmer's Buildings. The Quantity of Land required for this Undertaking is 6,863 Square Yards.

PARISH OF ST. AUGUSTINE.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
		Cow Street.		
1	House and Shops	Mayor, Aldermen, and Burgesses of the City of Bristol.	George Lee King Henry Newman. Henry Strugnell. Henry Hucker. Simon Jeffery. Charles Huntley.	Henry Strugnell. Henry Hucker. Simon Jeffery. Charles Huntley.
		Frogmore Street.		
2	House and Shops	Mayor, Aldermen, and Burgesses of Bristol.	Richard Tate Stoate. Francis Duck.	Francis Duck. Alfred Housely.
3	House and Warehouse	Mayor, Aldermen, and Burgesses of Bristol.	John Fargus Green.	John Fargus Green. William Wheeler Green. Edward Batchelor.
4	House and Warehouse	Mayor, Aldermen, and Burgesses of Bristol.	Henry Waldo Edward Waldo. Frederick Henry Whitfield.	Frederick Henry Whitfield.
5	House and Shop	Ecclesiastical Commissioners for England and Wales.	James Wallis	Mary Hail.
6	House, Shop, Skittle Alley, and Yard.	Ecclesiastical Commissioners.	Elizabeth Donaldson.	John Ellicott.
7	House and Shop	Ecclesiastical Commissioners.	Lydia Wallis	Harriet Leonard. Henry Sims. John Holman.
8	House, Shop, and Yard	Ecclesiastical Commissioners.	Lady Hare	Elizabeth Franklyn.
9	House, Shop, and Yard	Ecclesiastical Commissioners.	Ann Jenkins	Ann Millward. Ann Jenkins.
10	House and Yard	Ecclesiastical Commissioners.	Richard Tate Stoate.	Alfred Saunders.
11	House and Shop	John Hamblett Charles Edward Ward.	- - -	John Hamblett.
		Park Street.		
12	Dwelling House and Shop	Eliza Kernott	- - -	Henry Drake. Fiefsol Louis.
13	Dwelling House and Shop	Eliza Kernott	- - -	William Ship.
14	Dwelling House and Shop	Jonas Rousseau	- - -	Solomon Lyon.
15	Dwelling House and Shop	Jonas Rousseau	Henry France	Henry France.
16	Dwelling House, Shop, and Yard.	Richard Tate Stoate	- - -	James Bartlett.
17	Yard	Ecclesiastical Commissioners.	Richard Tate Stoate.	James Bartlett.
18	Dwelling House and Shop	Richard Tate Stoate Henry Stoate. Emily Stoate.	Thomas Andrews	Thomas Andrews.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
19	Dwelling House, House and Shop, and Warehouse.	Richard Ferris Rumsey	- - -	Richard Ferris Rumsey.
20	Dwelling House and Shop	John Altham Graham Clarke. Charles Freeman. Charles Lionel Eagles.	- - -	William Dyer.
21	Dwelling House and Shop	Eliza Kernott	- - -	Charles Bishop.
22	Dwelling House and Shop	Robert Gould Sarah Gould. Agnes Greville. Mary Ann Greville. Giles Greville. Maria Greville.	- - -	Alfred Tovey Barnard.
23	House, Shop, and Garden	Sarah Foster James Foster.	- - -	John Cockram.
24	House and Warehouse	Edwin Naish Louisa Naish. William Patterson. George Dell.	Thomas Kerslake	Thomas Kerslake.
25	The Philosophical Institution.	John Nash Sanders Henry Bright. Daniel Cave. John Scandrett Harford.	- - -	John Nash Sanders. Henry Bright. Daniel Cave. John Scandrett Harford.
		Hanmer's Buildings.		
26	Dwelling Houses (one under the other).	Thomas Wright Rankin Hannah Rankin. William Rogers. Jane Rogers. Albert Rogers. Elizabeth Rogers. John Payne. Betsy Payne. John Shute, Henry Fargus. William Watson.	- - -	James Garmston. Samuel Rogers. Elizabeth Stockwell. Grace Williams. Martha Ogborne.
27	Dwelling House	Thomas Wright Rankin Hannah Rankin. William Rogers. Jane Rogers. Albert Rogers. Elizabeth Rogers. John Payne. Betsy Payne. John Shute. Henry Fargus. William Watson.	- - -	William Burns.
28	Dwelling House and Yard	William Lock	Thomas Shew	John Ernest Jones.
29	Dwelling House and Yard	William Lock	William Dyer	William Lane.
30	Dwelling House and Yard	William Lock	Charles Orchard John Trenerry.	Charles Orchard.
		Park Street.		
31	House, Shop, and Warehouse.	Edward Clarke	Joseph Smith	Thomas Kerslake. James Fawn. Joseph Smith.
32	Dwelling House	William Lock	Joseph Smith	Joseph Smith.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
33	Shop and Picture Gallery	William Lock	Joseph Smith Charles Mitchell.	Charles Mitchell.
34	House and Photographic Studio.	William Lock	Joseph Smith	Kate Randall.
35	House and Shop	William Tricks Henry Hill. John Sayer. George Snow Tricks. John Carter Northcote. Selina Northcote. George Garraway. Edward Phelps.	- - -	Joseph Beavan.
36	Dwelling House and Shop	William Tricks. Henry Hill. John Sayer. George Snow Tricks. John Carter Northcote. Selina Northcote. George Garraway. Edward Phelps.	- - -	Thomas Hill. Joseph Beavan.
		Frog Lane.		
37	Public House	William Lock	Joseph Smith Moses Stone.	Moses Stone.
38	Public House, Warehouse, Cellars, and Yard.	William Lock	John Avery Joseph Smith.	John Avery.
39	Dwelling House, Shop, and Yard.	Ecclesiastical Commissioners.	Daniel Butters	Harriet Spear.
40	Dwelling House, Shop, and Yard.	The Feoffees of Saint Augustine's Church Lands, namely— Reverend Thomas C. Price. William Spark. Charles Merry. John Bodey. Edmund Sharland. Richard Castle. John Stevens. Charles Nash. John Harvey. William Merrett Webb. John Harvey, senior. Thomas Terrett Taylor. Charles Weare Shew. James Hartland. Charles Brightman. Joseph Bell. Abraham Dimoline. Thomas Barnes. Thomas Spark. Frederick Henry Whitfield.	- - -	James Ellis.
41	Dwelling House, Shop, and Yard.	Corporation of Bristol Jane Harver. Martha Davis. Ester Sampson. Martha Ball.	- - -	John Waite.
42	Public House	Mary Babb	- - -	Mary Babb.
43	House, Cellar, and Stable	Ecclesiastical Commissioners.	Charles John Hill	Thomas Lovell. Sophia Nicholls.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
		College Green.		
44	Dwelling House and Yard	Ecclesiastical Commissioners.	Henry Purrier - Patrick John Giraud.	Patrick John Giraud.
		Frog Lane.		
45	Cellar, Shop, and Dwelling House.	Ecclesiastical Commissioners.	Rupert Rains - James Davison Wadham. Emily Newton Paine Pauli.	Abraham Rowe. James Trull.
		College Green.		
46	Dwelling House and Yard	Ecclesiastical Commissioners.	Rupert Rains - James Davison Wadham. Emily Newton Paine Pauli.	Caroline Johnes.
		Frog Lane.		
47	House and Shop -	Ecclesiastical Commissioners.	Rupert Rains - James Davison Wadham. Emily Newton Paine Pauli.	James Trull.
		Cow Street.		
48	Warehouse and Shop -	Ecclesiastical Commissioners.	George Lee King Henry Newman. William Charles Jeffery.	Edward Lawrence.
49	Dwelling House and Shop	Ecclesiastical Commissioners.	Richard Hieron Shrapnell.	Richard Hieron Shrapnell.

Lands and Buildings intended to be taken for the Purpose of making a New Street from the South-west Corner of College Green to Saint George's Road at a Point between Brandon Street and Partition Street, and widening and improving the North Side of St. George's Road between York Place and Waterloo Court. The Quantity of Land required for this Undertaking is 3,989 Square Yards.

PARISH OF ST. AUGUSTINE.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
		Upper Lamb Street.		
1	House - -	The Ecclesiastical Commissioners for England and Wales.	William Tanner - James French. George Trebble.	George Powell.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
2	Stable	Ecclesiastical Commissioners.	William Tanner James French. George Trebble.	George Trebble.
3	Slaughter-house	Ecclesiastical Commissioners.	William Tanner James French. George Trebble.	Richard E. Lane.
4	Cottage	Joanna Trimnell William Frederick Trimnell. Thomas Tallis Trimnell.	-	William Shean.
		Brandon Street.		
6	Manufactory	Ecclesiastical Commissioners.	Joanna Trimnell William Frederick Trimnell. Thomas Tallis Trimnell.	Thomas Tallis Trimnell.
		College Street.		
7	House and Shop	Ecclesiastical Commissioners.	William Tanner	Thomas Bolling.
8	House, Shop, and Stable	Ecclesiastical Commissioners.	William Tanner	John Harris. Thomas Coverdale. William Norman.
9	House	Ecclesiastical Commissioners.	William Tanner	Joseph Pethybridge.
10	House	Ecclesiastical Commissioners.	William Tanner Edward Gwyn Barr.	George Phillemore.
14	House	Ecclesiastical Commissioners.	William Tanner Jacob Strickland.	Margaret Taylor Griffy.
16	House and Shop	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	Henry Harris.
17	House	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	William Bidgood.
18	Inn	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	John Waldron.
19	House	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	Elijah Emery.
20	House	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	Joseph Lawrence.
21	House	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	Alfred Brake.
		Brandon Street.		
25	House and Yard	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	George Porter.
26	House and Yard	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	William Milton.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
27	House and Yard	Ecclesiastical Commissioners.	William Tanner Sarah Waters. Francis Waters.	George Morse.
28	House and Yard	Ecclesiastical Commissioners.	William Tanner William Stanbury.	Sarah Evans.
29	Inn and Yard	Ecclesiastical Commissioners.	William Tanner Sarah Pinfield.	Henry Gray.
	St. George's Road.			
33	Inn and Yard	Ecclesiastical Commissioners.	William Tanner Edward Culliford. Dinah Osborne.	John Waddell.
34	House	Ecclesiastical Commissioners.	William Tanner Edward Culliford. Dinah Osborne.	John Waddell.
35	Inn	Ecclesiastical Commissioners.	William Tanner William Iles.	Isaac Jones.
36	Shop, Yard, and Workshop	Ecclesiastical Commissioners.	William Tanner John Griffiths.	Frederick Parlour.
37	House	Ecclesiastical Commissioners.	William Tanner John Griffiths.	William Wyatt.
38	House	Ecclesiastical Commissioners.	William Tanner John Griffiths.	William Blake.
39	House	Ecclesiastical Commissioners.	William Tanner John Griffiths.	William Whitfield.
40	House and Shop	Ecclesiastical Commissioners.	William Tanner George John Hutchings. Ann M. Hooper. Henry Hooper.	Caroline Trout.
41	House, Shop, Yard, and Outbuildings.	Ecclesiastical Commissioners.	William Tanner George John Hutchings. Ann M. Hooper. Henry Hooper.	Benjamin Bowering. Daniel M'Garrie.
	Morgan's Court.			
42	House	Ecclesiastical Commissioners.	William Tanner George John Hutchings. Ann M. Hooper. Henry Hooper.	William Murry.
43	House	Ecclesiastical Commissioners.	William Tanner George John Hutchings. Ann M. Hooper. Henry Hooper.	James Malarney.
	St. George's Road.			
48	House and Shop	Ecclesiastical Commissioners.	William Tanner William Vowles. James Evans.	James Evans.
49	House and Shop	Ecclesiastical Commissioners.	William Tanner William Vowles.	John Garrett.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
	Pump Court.			
50	House - - -	Ecclesiastical Commissioners.	William Tanner William Vowles.	John Carter.
61	Court - - -	Ecclesiastical Commissioners.	William Tanner William Vowles. Thomas Morgan. John Brookman.	John Brookman.
	St. George Road.			
63	House and Shop -	Ecclesiastical Commissioners.	William Tanner William Vowles. Thomas Morgan. John Brookman.	Thomas Smith.
64	House and Shop -	Ecclesiastical Commissioners.	Joanna Trimnell William Frederick Trimnell. Thomas Tallis Trimnell.	Henry Broadribb.
65	House and Shop -	Ecclesiastical Commissioners.	Johanna Trimnell William Frederick Trimnell. Thomas Tallis Trimnell.	Eliza Payne.
66	House and Shop - -	Ecclesiastical Commissioners.	Joanna Trimnell William Frederick Trimnell. Thomas Tallis Trimnell.	William Downes.
67	Court - - -	Ecclesiastical Commissioners.	Daniel Mockridge	Daniel Mockridge.
68	Timber Yard - -	Ecclesiastical Commissioners.	James Flower - Robert Hussey.	Robert Hussey.
69	House and Yard -	Ecclesiastical Commissioners.	James Flower -	James Flower.
70	House and Shop - -	Ecclesiastical Commissioners.	Joseph Winniat -	John Hanks.
	College Street.			
71	House - - -	Ecclesiastical Commissioners.	William Tanner Thomas Carlile.	Francis Gough.
72	House - -	Ecclesiastical Commissioners.	William Tanner Edward Gwyn Barr.	James Ledsam.

Lands and Buildings intended to be taken for the Purpose of widening and improving Bond Street. The Quantity of Land required for this Undertaking is 265 Square Yards.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
1	Dwelling House, Shop, and Yard, known as the "Brandy Cask."	Mary Wilkins Louisa Savage. George Savage.	Samuel Palmer	Samuel Palmer.
2	Dwelling House and Shop, Bakehouse and Ovens.	John Couch Paris	Frederick Calder	Frederick Calder.
3	Dwelling House and Shop	Jacob Raggatt	-	George William Knell.

Lands and Buildings intended to be taken for the Purpose of making a new Street from the East End of Park Row to the West End of Maudlin Street. The Quantity of Land required for this Undertaking is 5,176 Square Yards.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
		Church Lane.		
1	House and Shop	Corporation of Bristol	Edwin Tardrew	Caroline Floyd.
2	House and Out-buildings	Corporation of Bristol	-	Uriah Goulstone.
3	House and Garden	Corporation of Bristol	-	John Moore.
		Bristol Steps.		
4	House and Garden	Corporation of Bristol	-	James McGuire.
5	House	Corporation of Bristol	-	John Newman.
		Griffin Lane.		
6	House, Stables, and Yard	Corporation of Bristol	Charles J. Fisher	Grace Cottrell.
7	Inn	Corporation of Bristol	Charles J. Fisher	Charles J. Fisher.
8	House	Corporation of Bristol	Edwin Tardrew	Moses Merrick.
		Church Lane.		
9	Shop	Corporation of Bristol	-	George Lyons. James Crabbe.
10	Inn and Garden	John Sellick Ann Ellen Berry. Susan Oxley. Elizabeth Jecks. Ann Andre. Mary Willis.	-	Elizabeth Morris.
11	Cottage and Garden	John Sellick Ann Ellen Berry. Susan Oxley. Elizabeth Jecks. Sarah Andre. Mary Willis.	-	William Smith

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
		Prospect House, Church Lane.		
12	House, Cottage, and Garden.	Elizabeth Rees - William Patterson. Jonathan T. Maund.	- - -	Henry Matthews. Samuel Robinson. James Crabbe.
13	Sheds, Outbuildings, and Yard.	Representatives of Joan Langton's Charity. George Cannington. William Merry.	- - -	Thomas Williams.
		St. Michael's Steps.		
14	Cottage and Garden	Richard White - Ann Ellen Berry. Susan Oxley. Elizabeth Jecks. Sarah Andre. Mary Willis.	- -	George Sheppard.
15	House and Yard - -	Richard White - Ann Ellen Berry. Susan Oxley. Elizabeth Jecks. Sarah Andre. Mary Willis.	- - -	Thomas Staddon.
16	Cottage and Garden -	Richard White - Ann Ellen Berry. Susan Oxley. Elizabeth Jecks. Sarah Andre. Mary Willis.	- - -	Thomas Barton Peel.
17	Cottage and Garden -	Elizabeth Mary Newport. Ann Ellen Berry. Susan Oxley. Elizabeth Jecks. Sarah Andre. Mary Willis.	- - -	Richard Curtis.
		Griffin Lane.		
18	House and Garden -	Elizabeth Mary Newport. Ann Ellen Berry. Susan Oxley. Elizabeth Jecks. Sarah Andre. Mary Willis.	- - -	Mary Ann Bartlett.
19	Cottage and Garden -	Corporation of Bristol -	Jane McCracken	Stephen Griffin.
		Bristol Steps.		
20	Cottage and Garden -	Corporation of Bristol -	Jane McCracken	William Fairbrother.
21	Cottage and Yard -	Corporation of Bristol -	Jane McCracken	Thomas Brenning.
22	House and Yard - -	Corporation of Bristol -	- - -	Edwin Trotman. George Lyons.
23	House and Yard - -	Corporation of Bristol -	- - -	James Dewey. George Lyons.
24	House and Yard - -	Corporation of Bristol -	- - -	Mark Cooksley. George Lyons.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
St. Michael's Hill.				
25	House and Yard - -	Frederick Parfitt - Caroline Herapath Parfitt. William Cooper. Matilda Herapath Kimerly. Thomas Russell Cooper.	- - -	Henry Wooster.
26	House and Yard - -	Joseph James Kelson -	- - -	William Payne.
27	House - - -	Thomas Eades -	- - -	George Harvey.
28	House - -	Elizabeth Wadham - John Wadham. William Wadham. James Davison Wadham. Edward Wadham. George Wadham. Elizabeth Wadham.	- - -	Charles Gillard.
29	House - -	Elizabeth Wadham - John Wadham. William Wadham. James Davison Wadham. Edward Wadham. George Wadham. Elizabeth Wadham.	- - -	Frederick Painter.
30	House and Garden -	Elizabeth Wadham - John Wadham. William Wadham. James Davison Wadham. Edward Wadham. George Wadham. Elizabeth Wadham.	- - -	Henry Stephens.
31	House and Garden -	Elizabeth Wadham - John Wadham. William Wadham. James Davison Wadham. Edward Wadham. George Wadham. Elizabeth Wadham.	- - -	Charles Glasson.
32	House and Garden -	Elizabeth Wadham - John Wadham. William Wadham. James Davison Wadham. Edward Wadham. George Wadham. Elizabeth Wadham.	- - -	Laura Davis.
33	House - -	Sarah Loxton - -	- - -	Henry Perdue.
34	House - - -	Sarah Loxton - -	- - -	Oswald Allen.
35	House - - -	Sarah Loxton - -	- - -	Oswald Allen.
36	House and Shop -	Robert Chidley Harris	John Williams -	Charlotte Williams.
Church Lane.				
37	Cottage and Court -	Robert Chidley Harris	- - -	Henry Griffiths.
38	Cottage - - -	Robert Chidley Harris	- - -	William Parsons.
39	Cottage - - -	Robert Chidley Harris	- - -	Mark Isaac.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
	St. Michael's Steps.			
42	Cottage	Prudence Court Joseph B. Taylor. Elizabeth Jones.	- - -	Prudence Court.
43	Cottage, Yard, and Outbuildings.	Prudence Court Joseph B. Taylor. Elizabeth Jones.	- - -	John Watkins.
44	Cottage and Yard	Prudence Court Joseph B. Taylor. Elizabeth Jones.	- - -	John Morgan.
45	Cottage	Prudence Court Joseph B. Taylor. Elizabeth Jones.	- -	William Lewis Pike.
46	Cottage	Prudence Court Joseph B. Taylor. Elizabeth Jones.	- - -	James Rowe.
47	Cottage	John C. Creedy	- - -	Void.
48	Cottage	Joseph James Kelson	- - -	Ann Champness.

Lands and Buildings intended to be taken for the Purpose of making a new Street from Wilder Street, at the Point opposite York Street, to a Street called Backfields, and widening that Part of the Street called Backfields which runs towards Stokes Croft. The Quantity of Land required for this Undertaking is 2,428 Square Yards.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
	Backfields.			
1	Warehouse	John Norman Brown William Henry Temple Brigstocke.	- - -	H. J. Rowley.
2	Stable, Sheds, and Yard	Hattil Foll Francis Abbott.	- - -	Hattil Foll. Francis Abbott.
3	Occupation Road	Hattil Foll Francis Abbott.	- - -	Hattil Foll. Francis Abbott. Alfred Jones. Thomas Davis. Joseph Dilke. Edwin Welsford.
4	Farrier's Shop and Stable	Francis Abbott	- - -	Alfred Jones.
5	Stable and Shed	Francis Abbott	Alfred Jones.	Thomas Davis.
6	Stable, Shed, and Yard	Francis Abbott	Alfred Jones	Joseph Dilke.
7	Smith's Shop	Francis Abbott	Alfred Jones	Edwin Welsford.
8	Yard	Francis Abbott	Alfred Jones	Alfred Jones. Thomas Davis. Joseph Dilke. Edwin Welsford.
9	Timber Yard, Sheds, and Sawpit.	Francis Abbott	James Miles Henry Miles.	William Badock.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
10	House - - - -	Thomas Rogers - William Lewton Clarke (Trustee of the Estate of Richard Tomms, deceased). Representatives of Miss West.	William Sherring	Frederick Pillers.
11	Warehouse and Yard -	Thomas Rogers - William Lewton Clarke. Representatives of Miss West.	- - -	William Sherring.
12	House - - -	Esther Seymour -	- - -	Caroline Parsons.
13	Tenement - -	Esther Seymour -	- - -	Daniel Briggs.
14	Tenement - -	Esther Seymour -	- - -	John Fisher.
15	Tenement - -	Esther Seymour -	- - -	Francis Thomas.
16	Tenement - - -	Esther Seymour -	- - -	John Parsons.
17	House and Shop -	Esther Seymour -	- - -	James Seamer.
18	Passage - -	Esther Seymour -	- - -	Caroline Parsons. Daniel Briggs. John Fisher. Francis Thomas. John Parsons. James Seamer.
19	Malthouse -	William Wellington Ball, Frederick Henry Ball, Samuel Alexander, Trustees for— Jane Ann Ball. Ellen Ball. Louisa Singer Ball.	William Wellington Ball. Frederick Henry Ball.	William Wellington Ball. Frederick Henry Ball.

Lands and Buildings intended to be taken for widening and improving the Streets called Lodge Court, New Street, Poyntz Pool, and Butchers Row. The Quantity of Land required for this Undertaking is 3,684 Square Yards.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
1	House and Shop - -	John Silcox, - - John Cordeux, Mary Silcox, Trustees for— Mary Silcox. Joseph Lowless and Mary Ann his Wife.	- - -	Thomas Shaddick.
2	House and Shop - -	Henry Doubting -	- - -	Henry Doubting.
3	House and Shop - -	Frederick Nutt -	George Strange -	George Strange.
4	Tenement and Shop -	J. R. Hopkins - -	Thomas Newland	Thomas Newland.
5	Passage - - -	John Silcox, - - John Cordeux, Mary Silcox, Trustees for— Mary Silcox. James Silcox. John Wesley Silcox.	- - -	James Silcox.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
6	Passage	John Silcox John Cordeux. Mary Silcox. James Silcox. John Wesley Silcox. Joseph Lowless and Mary Ann his Wife. Henry Doubting. John R. Hopkins.	Thomas Newland	James Silcox. Thomas Shaddick. Henry Doubting. Thomas Newland.
7	Tenement and Shop	John Silcox John Cordeux. Mary Silcox. Jane Milsom Silcox.	- - -	James Fletcher.
8	Tenement	Stephen A. Clarke	- - -	Martin Rolls.
9	Tenement and Shop	John Silcox John Cordeux. Mary Silcox. William Jayne and Mary Ann his Wife. Joseph Lowless and Mary Ann his Wife.	- - -	Charles King.
10	Tenement	John Silcox John Cordeux. Mary Silcox. Jane Milsom Silcox.	- - -	Abraham Parker.
11	Tenement	Charlotte Bees Huggins Robert Martin Davis. William Davis.	- - -	Thomas Poole.
12	Tenement	Charlotte Bees Huggins Robert Martin Davis. William Davis.	- - -	Nathaniel Dolman.
13	Tenement	Stephen A. Clarke	- - -	Robert Rendall.
14	Stable	John Silcox John Cordeux. Mary Silcox. William Jayne and Mary Ann his Wife. Joseph Lowless and Mary Ann his Wife.	Charles King	Samuel Harding.
15	Passage	John Silcox John Cordeux. Mary Silcox. William Jayne and Mary Ann his Wife. Joseph Lowless and Mary Ann his Wife. Jane Milsom Silcox.	Charles King	Samuel Harding.
16	Tenement and Stable	John Silcox John Cordeux. Mary Silcox. Jane Milsom Silcox.	- - -	Samuel Harding.
17	Yard called "The Pound"	John Silcox John Cordeux. Mary Silcox. James Silcox. John Wesley Silcox. Joseph Lowless and Mary Ann his Wife. John R. Hopkins.	- - -	James Silcox.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
17 *cont.*		Jane Milsom Silcox. Stephen A. Clark. William Jayne and Mary Ann his Wife. Charlotte Bees Huggins. Robert Martin Davis. William Davis.		
18	Tenement, Stables, and Yard.	John Silcox John Cordeux. Mary Silcox. Jane Milsom Silcox.	- - -	Joseph Pritchard.
19	House and Shop	William Hensley and Ann his Wife. James Lewis and Elizabeth his Wife. W. L. Flook.	George Smith Milton.	George Smith Milton.
20	Tenement	William Hensley and Ann his Wife. James Lewis and Elizabeth his Wife. W. L. Flook.	George Smith Milton.	Neverson Walker.
21	House	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes.	Henry Mead	Henry Mead.
22	House	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes.	Henry Mead	Henry Mead.
23	House	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes.	Henry Mead	Henry Mead.
24	Tenement	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes.	- - -	Void.
25	Tenement	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes.	- - -	Void.
26	Tenement	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes.	- - -	Void.
27	Tenement	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes.	- - -	John Pritchard.
28	House	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes.	- - -	John Pritchard.
29	Court	Edwin Barnes Ann Houlden. Eliza Smith. Sarah Ann Barnes. John Pritchard.	- - -	John Pritchard. Henry Mead.
30	House	John Pritchard	- - -	John Pritchard.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
31	Slaughter-house, Shed, and Yard.	The Trustees of the Bristol Charities, viz.— George Thomas. Harman Visger. William Tothill. Robert Phippen. Michael Castle. John Fisher. Frederick Terrell. Thomas Powell. William Herapath. William Sanders. William Terrell. William Henry Harford the younger. Herbert Thomas. Henry Abbott. Henry James Mills. Thomas Canning. Charles Sly Godwin. Thomas Terrett Taylor. Joseph Dodge Weston. Richard Fuidge. William Henry Wills.	Joseph Shipp - Frederick Nutt.	Joseph Shipp. Frederick Nutt.
32	Slaughter-house, Stable, Shed, and Yard.	The Trustees of the Bristol Charities.	Samuel Alden	William Orchard.
33	Passage, with Loft over -	The Trustees of the Bristol Charities.	Samuel Alden - Joseph Shipp. Frederick Nutt.	Joseph Shipp. Frederick Nutt. William Orchard.
34	House, Shed, and Yard -	William Orchard -	- - -	Joseph Pritchard.
35	House - - -	Augustus Payne, - James Wildgoose, John Dyer, Trustees for— George Charles Darlington and Emily his Wife. George Bray and Eliza his Wife. Richard Taylor. William Townsend Palmer. W. L. Flook.	- - -	John Doyle.
36	House - -	Augustus Payne - James Wildgoose. John Dyer. George Charles Darlington and Emily his Wife. George Bray and Eliza his Wife. Richard Taylor. William Townsend Palmer. W. L. Flook.	-	Mary Ann Pellowe.
37	House and Courtyard	Augustus Payne - James Wildgoose. John Dyer. George Charles Darlington and Emily his Wife.	- -	Richard Hyatt.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
37 *cont.*		George Bray and Eliza his Wife. Richard Taylor. William Townsend Palmer.		
38	House and Courtyard	Augustus Payne - James Wildgoose. John Dyer. George Charles Darlington and Emily his Wife. George Bray and Eliza his Wife. Richard Taylor. William Townsend Palmer.	- - -	Elizabeth Davis.
39	House and Courtyard -	Augustus Payne - James Wildgoose. John Dyer. George Charles Darlington and Emily his Wife. George Bray and Eliza his Wife. Richard Taylor. William Townsend Palmer.	- - -	William Tyler.
40	House - - -	John Pritchard - Fanny Gilmore.	- -	John Pritchard.
41	Yard - - -	The Trustees of the Bristol Charities.	- - -	John Pritchard.
42	House - - -	Henry Pearson - Fanny Gilmore.	- - -	Henry Pearson.
43	Yard - - -	The Trustees of the Bristol Charities.	- - -	Henry Pearson.
44	House and Shop - -	Stephen A. Clark - Fanny Gilmore.	- - -	Richard Wren.
45	Shed - - -	The Mayor, Aldermen, and Burgesses of the City of Bristol.	- - -	Walter Johns.
46	Tenement, Sheds, and Yard	The Trustees of the Bristol Charities.	- - -	Walter Johns.
47	House - - -	John Dole, Trustee for— Sophia, Daughter of William Bond and Ann his Wife. Richard Lewis.	- - -	Thomas Williams.
48	House - -	Thomas Colman - Richard Lewis.	- - -	James Brown.
49	House - - -	James Bushnell - Richard Lewis.	- - -	William Clargo.
50	House - - -	James Bushnell - Richard Lewis.	- - -	William Robins.
51	House - - -	Charles Leonard -	- - -	George Morgan.
52	House - - -	Felix Davis - - George Ward and Clara his Wife.	- - -	Robert Shelper.
53	House - - -	John Dole - - William Bond and Ann his Wife. John Harford. (Trustees of Batley's Estate.)	- - -	Henry Tovey.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Names of Owners or reputed Owners.	Names of Lessees or reputed Lessees.	Names of Occupiers.
54	House	William Stokes John Harford.	- - -	George Bailey.
55	House	William Candle and Sarah his Wife. John Harford.	Andrew Brown	William Hunt. Frederick Lewis. Ellen Harvey. Emma Mittens.
56	House	William Candle and Sarah his Wife. John Harford.	Andrew Brown	Mary Row. Thomas Milton. Daniel Williams.
57	House	Henry Adlam John Harford.	- - -	Theophilus Edwards.
58	House	Henry Adlam John Harford.	- - -	Robert Williamson.
59	House	Evan E. Jeffris Trustee of the Marriage Settlement of John Cox and Charlotte Evans his Wife.	- - -	William Hazell.

DERBY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Derby in the County of Derby, for the Purchase of Lands by the Local Board of Health for the aforesaid District for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Derby in the County of Derby, by the Council of such Borough acting as the Local Board for that District, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for certain works of street improvement described in such Petition for widening St. James's Lane, the Wardwick, &c.:

And whereas the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this order—

The said Local Board of Health for the District of Derby aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement, so far as relates to the lands, &c. numbered in such Schedule 1 to 57 inclusive, and 68 and 69, and so far as relates to those portions of the lands, &c. numbered 58 to 67 inclusive as will be required for widening Wardwick, such portions being coloured blue on the plan accompanying the herein-before mentioned report made by Mr. Robert Morgan to me on this Inquiry aforesaid.

Given under my hand this Seventh day of June in the year One thousand eight hundred and sixty-six.

(Signed) G. Grey.

Schedule referred to in the preceding Order.

The Pieces of Land and the Premises proposed to be taken for widening St. James's Lane, the Wardwick, &c., as described in the foregoing Order and shown upon the Plan accompanying the Local Board's Petition, are the following.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1	The "King's Head" Hotel, including Billiard Room, Carriage Houses and Stables, Spirit Vaults, Yard and Outbuildings.	Thomas Boden Forman and Frederick James Forman.	- - -	Mary Huggins.
2	Offices and Warehouse -	Thomas Boden Forman and Frederick James Forman.	- - -	Robert Forman and Sons.
3	Shop and Club-rooms over	Thomas Boden Forman and Frederick James Forman.	- - -	W. Brunt, David Hallam; Derbyshire Club (Francis Johnson Jessopp, Secretary).
4	House, Shop ("Cloth Hall"), Yard, and Workshops.	Richard Boden - -	- - -	William Brunt and David Hallam.
5	Shop, Warehouse, and Offices.	Walter Pike and William Pike.	- - -	Robert Wilson, Benjamin Wilson.
6	Shop and Watercloset on Ground Floor and Binding Offices upstairs.	Walter Pike and William Pike.	- - -	Henry Wibberley (Shop unoccupied, late Henry Clark).
7	House, Shop, and Watercloset.	Walter Pike and William Pike.	- - -	Thomas Roberts.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
8	"Hole-in-the-Wall" Wine and Spirit Vaults and Cellars, with Room over Passage and Yard.	Richard Boden	- - -	Samuel Greensmith.
9	House and Shop	Thomas Boden Forman and Frederick James Forman.	- - -	Daniel Brownsword.
10	House and Shop	Thomas Boden Forman and Frederick James Forman.	- - -	William Wright.
11	House and Shop	Thomas Boden Forman and Frederick James Forman.	- - -	Joseph Eagers.
12	House	Thomas Boden Forman and Frederick James Forman.	- - -	Mary Kirkham.
13	House	Thomas Boden Forman and Frederick James Forman.	- - -	Hannah Glover.
14	House	Thomas Boden Forman and Frederick James Forman.	- - -	William Morley.
15	House	Thomas Boden Forman and Frederick James Forman.	- - -	Unoccupied.
16	House used as a Storeroom.	Thomas Boden Forman and Frederick James Forman.	- - -	George Clayton.
17	Shed and Stable	Thomas Boden Forman and Frederick James Forman.	- - -	Joseph Locker.
18	House	Thomas Boden Forman and Frederick James Forman.	- - -	Unoccupied.
19	House	Thomas Boden Forman and Frederick James Forman.	- - -	Unoccupied.
20	House and Shop	Thomas Boden Forman and Frederick James Forman.	- - -	Millicent North.
21	House and Shop	William Coxon	- - -	Unoccupied.
22	Shop	William Coxon	- - -	William Fletcher.
23	Stable and Slaughterhouse and Workshop over same.	William Coxon	- - -	Jos. Leech and S. Steele; Edwin Meakin.
24	House and Shop	Thomas Roe, jun.	- - -	Unoccupied.
25	House	Thomas Roe, jun.	- - -	Mary Gladwin.
26	House	Thomas Roe, jun.	- - -	Anne Boulton.
27	House	Thomas Roe, jun.	- - -	Mary Stubbs.
28	House	Thomas Roe, jun.	- - -	Caroline Clifton.
29	Workshop	Thomas Roe, jun.	- - -	Jemima Willisford.
30	House, Shop, Warehouse, Yard, and Workshops.	Elizabeth Radford and Anne Radford.	Edmund Carnell	Edmund Carnell.
31	House and Yard	Thomas Roe, jun.	- - -	Arthur Ufton.
32	House, Shop, and Yard	Thomas Roe, jun.	- - -	William Smith.
33	House and Yard	Thomas Roe, jun.	- - -	James Smitherd.
34	Offices	Elijah Forman	- - -	James Price.
35	House, Shop, and Workshop.	Elijah Forman	- - -	William Elliott.
36	House and Shop	Elijah Forman	- - -	Elijah Forman.
37	Workshop and Warehouse	Elijah Forman	- - -	Elijah Forman.
38	House and Shop	Rev. William Darwin Fox.	- - -	James Silvers.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
39	Shop and Rooms	Rev. William Darwin Fox.	- - -	Alfred Morris.
40	Warehouses, Office, and Yard.	Rev. William Darwin Fox.	- - -	William Morley.
41	Shop	James Haskew	- - -	Jemima Willisford.
42	Shop and Offices	James Haskew	- - -	Peter Peal, F. Thompson, and Jos. Hadfield.
43	House, Shop, and Yard	William Hives	- - -	William Hives.
43*a*	Warehouse and Room over	William Hives, Norah Greatorex.	- - -	William Hives, George Clayton.
44	House, Yard, and Buildings, "Swan with Two Necks."	Norah Greatorex	- - -	George Clayton.
45	House, Yard, Stables, Cheese Warehouse, and Buildings, "Saracen's Head."	John Martin	- -	Robert Waller, John Martin.
46	House and Buildings, "Old Coach and Horses."	Executors of late William Barnes.	- -	Benjamin Harold Swan.
47	House and Shop	Executors of late William Barnes.	- -	James Webster.
48	House, Shop, and Yard	William Crabtree	- -	John Laban.
49	House and Yard	William Crabtree	- - -	John Marvill.
50	House and Yard	William Crabtree	- -	Thomas Hewitt.
51	House	William Crabtree	- - -	Mary Thompson.
52	House and Shop	William Crabtree	- - -	Alfred Hall.
53	Malthouse	William Sparkes	- - -	Wm. George Wheeldon.
54	House and Shop	William Sparkes	- - -	Daniel Broughton.
55	Workshop	Executors of late Daniel Holme.	- - -	Robert Johnson.
56	House	Executors of late Daniel Holme.	- - -	Robert Johnson.
57	Shop, Warehouse, and Offices over.	Executors of late John Wood.	- - -	William Radford, William Borough.
58	House and Shop	Lord Scarsdale	Rev. Canon W. Beach Thomas.	George Jas. Spencer.
59	House, Stable, and Warehouse.	Lord Scarsdale	- - -	Alfred Morris.
60	House	Lord Scarsdale	- - -	Charles Taylor.
61	Two Houses	Lord Scarsdale	- - -	Bryan Dyer.
62	House, Yard, Office, Workshops, Sawpits, Timber Yard, and Buildings.	Lord Scarsdale	Executors of late Thos. Gadsby.	Executors of late Thomas Gadsby.
63	House, Office, and Pleasure Grounds.	Lord Scarsdale	- - -	Henry Hutchinson.
64	Brewery and Yard, Offices and Stabling, and Offices over.	Moreton Charles Wedge	- - -	William Alton and Edward Barnett ; William Turner Shaw.
65	Offices and Sale Rooms	Moreton Charles Wedge	- - -	Thomas Newbold and John Oliver.
66	House, Yard, Garden, and Store-room.	Brasenose College, Oxford (T. H. R. Shand, the Bursar).	G. F. Meynell	William Taylor. Derby Waterworks Company (F. J. Jessopp, Secretary).
67	House and Yard	Brasenose College, Oxford (T. H. R. Shand, the Bursar).	G. F. Meynell	Sarah Wheldon.

LAND and PREMISES required for the widening and improving of Cockpit Hill, and the junction of the Nottingham and Mansfield Roads, by the removal of the two public Weighing Machines there situated respectively, all in the said Borough of Derby.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
68	Weighing Machine and House, called "Canal Machine, Morledge, Derby."	Derby Canal Company (Horatio Bateman, their Clerk).	- - -	Frederick Johnson.
69	Weighing Machine and House, called "Saint Mary's Bridge Public Weighing Machine."	Derby Canal Company (Horatio Bateman, their Clerk).	- - -	James Bonnington.

SHREWSBURY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Shrewsbury Local Board of Health, for the Purchase of Lands by the said Board for Market and Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Shrewsbury, in the County of Salop, being, by the Council of the said Borough, the Local Board in and for the district of the said Borough, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land for the purpose of erecting a market house and other conveniences for holding markets in and for the locality, and for the purpose of widening, enlarging, and improving a certain street called Shoplatch in the said Borough, such land being situate within the district of the said Local Board:

AND WHEREAS the said Petition duly sets forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, as shown in the Plan accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such petition, Robert Rawlinson, Esquire, the Inspector appointed for the purpose, has inquired into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Shrewsbury being, by the Council of the said Borough, the Local Board aforesaid for the District of that Borough, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement, for the purposes herein-before set forth and described.

Given under my hand this Twenty-fifth day of April, One thousand eight hundred and sixty-six.

(Signed) G. Grey.

Schedule referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following; and the numbers in column 1 refer to those on the plan accompanying the Petition of the Local Board aforesaid.

Parish of Saint Chad, Borough of Shrewsbury.

No. on Plan.	Description of Property.	Owners.	Lessee.	Occupiers.
1	House, shop, yard, and privy	John Francis Steedman	Henry Thomas	Henry Thomas.
2	House, shop, yard, and privy	John Francis Steedman and William Smith.	- - -	Frederick Lewis.
3	House, shop, offices, yard, and privy.	The mayor, aldermen, and burgesses of the borough of Shrewsbury.	- - -	Void.
4	House, shop, yard, shed, and privy.	Same - -	- - -	Void.
5	Coal-house - -	Richard Lewis -	- - -	Sarah Munday.
6	House - - -	Same - -	- -	Same.
7	Passage, yard, and privy -	Same - -	- - -	Sarah Munday and Richard Lewis.
8	House, shop, yard, and warehouse.	Same - -	- - -	Richard Lewis.
9	House, shop, yard, and privy	Frances Pool and Mary Pool.	- - -	George Deaves.
10	House, shop, passage, yard, warehouse, and privy.	William Pugh - -	- - -	Jane Munday.

No. on Plan.	Description of Property.	Owners.	Lessee.	Occupiers.
11	House, shop, bakehouse, passage, yard, warehouse, and privy.	Edward Bullock	Thomas Clemson.	Thomas Clemson.
12	House, shop, workshop, yard, brewhouse, and privy.	The Worshipful Company of Drapers, Joshua John Peele their bailiff.	-	Richard Hughes.
13	Passage	Same	-	Richard Hughes and William Evans.
14	House, shop, workshops, yard, brewhouse, and privy.	Same	-	William Evans.
15	House, shop, yard, warehouse, scullery, and privy.	Same	-	John Miller.
16	Passage	Same	-	John Miller.
17	House, shop, yard, brewhouse, and watercloset.	Henry Keate	-	Mary Parry.
18	House, shop, yard, brewhouse, and privy.	The trustees under the will of the late James Watkins.	-	John Tanswell.
19	Passage	Same	-	John Tanswell and Richard Holland.
20	House, shop, workshop, privy, and yard.	Same	-	Richard Holland.
21	Mermaid Inn, stabling, yard, coach-house, brewhouse, and privy.	Richard Edwards	-	Richard Edwards.
22	House	Sarah Mayers	-	William Gough.
23	House and shop	Same	-	George Stanton.
24	House and shop	Thomas Lockley Meire	-	Margaret Owen.
25	House	Richard Edwards	-	Ellenor Garrett.
26	House, yard, and privy	Same	-	Peter Duddleston.
27	House, yard, and privy	Lady Charlotte Lyster	Mrs. Mary Perry	Evan Jones.
28	House, yard, and privy	Same	Same	John Thomas.
29	Spirit vaults and warehouse	Mrs. Jane Baker	-	Henry Alfred Jones and Alfred Norton Jones.
30	House	Ellen Watson	-	Letitia Davies.
31	House	William Watson	-	Void.
32	House	The mayor, aldermen, and burgesses of the borough of Shrewsbury.	-	Richard Beddow.
33	House	Same	-	Void.

No. on Plan.	Description of Property.	Owners.	Lessee.	Occupiers.
34	House	Jane Bowdler		George Rogers.
35	House	Same		Elizabeth Williams.
36	House	Same		John Hayes.
37	House	Same		William Deaves.
38	House	Same		Robert Stone.
39	House	Same		Ann Jones.
40	Passage, yard, and privy	Same		George Rogers, Elizabeth Williams, John Hayes, William Deaves, Robert Stone, Ann Jones.
41	House	John Fletcher		John Tanswell.
42	House	Same		William Groves.
43	House	Same		Void.
44	House	Same		Jane Workman.
45	House	Same		Margaret Reddish.
46	House	Same		Void.
47	Passage, yard, and privy	Same		John Tanswell, William Groves, Jane Workman, Margaret Reddish.
48	House	Eleanor Frail		William Humphreys.
49	House	Same		Sarah Titley.
50	House	Same		Caroline Lane.
51	Stable	Same		William Owen.
,,	Manure heap	Same		
52	Coach-house	Same		Same.
53	Warehouse	Same		Thomas Hughes.
54	Stable	Same		Void.
55	Coach-house	Same		William Owen.
56	House	Same		Ann Howgate.
57	House	Same		Void.
58	House	Same		Sarah Forrester.
59	Passage, yard, and privy	Same		William Humphreys, Sarah Titley, Caroline Lane, William Owen, Thomas Hughes, Ann Howgate, Sarah Forrester.

No. on Plan.	Description of Property.	Owners.	Lessee.	Occupiers.
60	King's Arms Inn, stabling, yard, brewhouse, and privy.	James Reynolds Boyce and Eliza Dorothy Boyce his wife, Ephraim Lloyd and Ann Topham Lloyd his wife, and Eleanor Frail.	- - -	William Owen.
61	House, yard, and privy -	Same - -	- - -	Void.
62	Passage - - -	Same - -	- - -	William Owen.
63	House and yard - -	The Worshipful Company of Drapers, Joshua John Peele their bailiff.	- - -	Alfred Millar.
64	House - - - -	Same - -	- - -	Joshua Orme.
65	House - - -	Same - -	- - -	Martha Oliver.
66	Yard, brewhouse, and privy	Same - -	- - -	Joshua Orme and Martha Oliver.
67	Passage and yard - -	Same - -	- - -	Alfred Millar, Joshua Orme, and Martha Oliver.
68	House, yard, brewhouse, and privy.	Eleanor Frail - -	- - -	John Tanswell.
69	House, spirit vaults, warehouse, yard, brewhouse, and privy.	Same - -	- - -	Francis Fletcher.
70	Warehouse, yard, and privies	Joseph Shaw - -	- - -	Joseph Shaw.
70*a*	Yard - - -	Same - -	- - -	Francis Fletcher.
71	House, yard, scullery, and privy.	Benjamin Bissall -	- - -	John Davies.
72	Passage and yard - -	Benjamin Bissall and Eleanor Frail.	- - -	John Davies, Joseph Shaw, and Francis Fletcher.
73	House, shop, and warehouse	Richard Breeze -	- - -	Joseph Pitts.
74	House and shop - -	Same - -	- - -	Walter Benjamin Blount.
75	Passage, yard, and privy -	Same - -	- - -	Joseph Pitts and Walter Benjamin Blount.
76	House, shop, yard, and privy	Same - -	- - -	Emma Watkins.
77	House and shop - -	Henry Thomas -	- - -	Void.
78	House and shop - -	Samuel Smith - -	- - -	Edward Smout.
79	House and shop - -	Same - -	- - -	William Bumford.
80	House, brewhouse, and privy	William Powell -	- - -	William White.
81	Passage and yard - -	John Francis Steedman and William Powell.	- - -	Henry Thomas and William White.

NETHERTHONG.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Netherthong Local Board, for the Purchase of Lands by the said Board for Road Improvements.*

Whereas the Local Board in and for the District of Netherthong in the West Riding of the County of York, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land for the purpose of making and constructing a new public Road or Street to lead from the Huddersfield and Woodhead Turnpike Road at Bridge Mill to Town Gate, such land being situate within the District of the said Local Board:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose as shown in the Plan accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such petition, Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1. The Local Board for the District of Netherthong shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-fourth day of May One thousand eight hundred and sixty-six.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following,

Quantity of Land required.	Owners or reputed Owners.	Tenants or Occupiers.	Lessees Name.
Yards.			
450	Reverend Thomas James and Penistone School Trustees.	John Mallinson.	
1672	Penistone School Trustees -	John Mallinson.	
797	Mrs. S. Woodhead's Trustees	Joshua Woodhead.	
1921	Martin Kidd - -	George Bower.	
1870	Cookson Stephenson -	George Bower -	John Thorp Taylor.
908	Joseph Turner - -	In his own occupation.	

WEST HOVE.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of West Hove, in the County of Sussex, for the Purchase of Lands in the aforesaid District for Street Improvements, &c.*

WHEREAS the West Hove Improvement Commissioners, acting under the Hove Improvement Act, 1858, within the District of West Hove, in the County of Sussex, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, portions of which last-mentioned Act have been adopted by them in such District, and after complying with the requirements of the said 75th section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable them to purchase certain pieces of land and certain buildings for purposes of road improvement in that District:

AND WHEREAS the said Petition duly set forth the pieces of land and buildings intended to be taken for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings, who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Commissioners, and such Petition prayed that they might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon:

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Improvement Commissioners shall be empowered to put in force, with reference to the land, buildings, and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this twenty-eighth day of May, in the year One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND, BUILDINGS, and PREMISES proposed to be taken as described in the foregoing Order are the following; and the Numbers in Column 1. refer to those on the Plan accompanying the Petition of the West Hove Improvement Commissioners.

Number on Plan.	Description of Property to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1.	Buildings and Land adjoining or near the Brighton and Shoreham (Lower) Road in the said Parish of Hove, containing 518 Yards or thereabouts.	Philip Hedgcock -	- - -	Philip Hedgcock.
2.	Buildings and Land in or near Church Street in the Parish of Hove, containing 402 Yards or thereabouts.	Philip Hedgcock -	- -	Philip Hedgcock.

NEW WINDSOR.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the New Windsor Local Board of Health, for the Purchase of Lands by the said Board for Road Improvements.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of New Windsor, in the County of Berks, being, by the Council of the said Borough, the Local Board of Health in and for the District of the said Borough, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1849, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land for the purpose of widening, enlarging, and improving certain streets and highways in the said Borough, such land being situate within the District of the said Local Board of Health:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, as shown in the Plan accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of New Windsor being, by the Council of the said Borough, the Local Board of Health for the District of that Borough, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-sixth day of April, One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND proposed to be taken as described in the foregoing Order are the following; and the numbers in column 1 refer to those on the Plan accompanying the Petition of the Local Board of Health.

Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1. Dwelling-house, shop, outbuildings, garden, and premises on the south side of Grove Place, New Windsor, and piece of garden ground on the west side of Love Lane, New Windsor.	William Henry Wicks, Platt Villa, Putney, Surrey, and Thomas Henry Baker, 29, Spring Gardens, Middlesex (Mortgagee).	Mary Ann Short, Spital Road, New Windsor.	Mary Ann Short.
2. Dwelling-house, garden, and premises in Lammas Avenue, New Windsor.	William Fitch, Lammas Avenue, New Windsor.	- - -	William Fitch.
3. A portion of a public footpath known as Lammas Avenue, New Windsor.	New Windsor Local Board of Health, William Fitch, and George Henry Long.	—	—
4. A piece of garden ground on the west side of Love Lane, New Windsor.	George Henry Long, Spital Road, New Windsor.	- - -	William Finch, St. George's Place, Peascod Street, New Windsor.
5. A piece of garden ground on the west side of Love Lane, New Windsor.	George Henry Long -	- - -	William Wright, Victoria Street, New Windsor.
6. A piece of garden ground on the west side of Love Lane, New Windsor.	George Henry Long -	- - -	James Nash, Peascod Street, New Windsor.
7. A piece of garden ground on the west side of Love Lane, New Windsor.	George Henry Long -	- - -	George Henry Long.

HANLEY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Hanley Local Board for the Purchase of Lands by the said Board for Street Improvements.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Hanley, in the County of Stafford, being, by the Council of the said Borough, the Local Board in and for the District of the said Borough, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land for the purpose of widening, enlarging, and improving Piccadilly, and certain other streets and highways in the said Borough, such land being situate within the District of the said Local Board:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, as shown in the Plan accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1. —The Mayor, Aldermen, and Burgesses of the Borough of Hanley, being, by the Council of the said Borough, the Local Board for the District of that Borough, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this twenty-eighth day of May, One thousand eight hundred and sixty-six.

(Signed) G. Grey.

SCHEDULE referred to in the preceding Order.

The LANDS proposed to be taken as described in the foregoing Order are the following; and the Numbers in Column 1 refer to those on the Plan accompanying the Petition of the Local Board.

FIRST PART.

As to Improvement of Piccadilly.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Portion of Shop in Dwelling House, and Bedroom over same.	George Paddock -	- - -	C. M. Tourton.
2	Portion of Shop and Refreshment-room, and Bedrooms over same, also Portion of Stairs and Cellar Entrance Landing.	George Paddock -	Fanny Pelling -	Fanny Pelling.
3	Shop and Bedroom and Portion of Sitting-room and Bedroom over same, also Portion of Cellar Steps and Stairs.	George Paddock -	- - -	John Bell.
4	Dwelling House and Shop, Store-room and Entry, and Bedrooms over same, and Cellar under Shop, and Entry and Cellar Steps.	George Paddock -	Clement Howson -	Clement Howson.
5	Dwelling House and Shop, Yard Entry, and Portion of Kitchen, and Bedrooms over same, and Cellar under Shop, and Sitting-room, and Cellar Steps.	George Paddock -	Ebenezer Cruikshank.	Ebenezer Cruikshank.
6	Shop, Waiting-room, Photograph-room, Lumber-room, and Cellar.	George Paddock -	Stephen Chesters -	Stephen Chesters.
7	Room used as Beer Vaults, Two Rooms downstairs, Urinal, and Two Rooms downstairs and Stairs, also Passage used as Yard.	William Grosvenor, Alfred Brook Fox, and James Fox.	John Wilkinson -	John Wilkinson.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
8	Shop, Photograph-room, Bakehouse, Yard, Room downstairs and Steps to Photograph-room, and One Bedroom with Stairs to same.	William Grosvenor, Alfred Brook Fox, and James Fox.	Henry Birks	Henry Birks.
9	Portion of Shop used for Sale of Shoes and Boots.	James Cliffe	- - -	Josiah Roberts.
10	Portion of Office and Room over same (this Room is also over the Shop occupied by Josiah Roberts), with Stairs to Room above used as Accountants' Offices.	James Cliffe	- - -	John Coates Daniel.

SECOND PART.

As to the Improvement of Albion Street.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
11	Brick Wall, Stone Coping, Cast Iron Palisades, Garden Walk, and Portion of Garden.	Henry Ward	Bernard Collett	Bernard Collett.

THIRD PART.

As to the Improvement of Stafford Street.

SECTION A.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
12	Nine-inch Brick Wall, and front Land paved with Dust Bricks and Common Blue Bricks, and Steps to front Entrance.	George Dale	- - -	William Adkins.
13	Nine-inch Brick Retaining Wall, and front Land paved with Dust Bricks and Common Blue Bricks, and Steps to front Entrance.	George Dale	- -	George Dale.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.

SECTION B.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
14	Portion of Downstairs Room, Stairs, Pantry, and Landing upstairs, and Bedroom in Dwelling House.	Ralph Booth -	- - -	Elizabeth Elkin.
15	Dwelling House, containing Downstairs Room, Pantry, Stairs, One Room upstairs.	Samuel Goldstraw	- - -	Ann Torkington.
16	Dwelling House, containing Downstairs Room, Pantry, Stairs, One Room upstairs.	Samuel Goldstraw	- - -	James Mahon.
17	Portion of Downstairs Room, Pantry, Yard, and Two upstairs Rooms in Dwelling House.	Thomas Cooper -	- - -	Thomas Cooper.

SECTION C.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
18	Portion of Entry, Stable, and Loft.	William Rochell -	- - -	John Rochell.
19	Portion of Smith's Shop and Shoeing Shop, and Workshop over same, and Steps to Workshop.	Mary Trubshaw -	- - -	George Leek.

SECTION D.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
20	Portion of Potter's Hovel, built with Brick.	John Dimmock -	- - -	John Dimmock.

FOURTH PART.

As to the Improvement of Old Hall Street.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
21	Portion of Stable Yard, and Boundary Wall of same, and Entrance Gateway.	Francis Davis -	- - -	Charles Sutton.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
22	Pigstye and Portion of Yard, and Brick Boundary Walls of same, and Occupation Road used by Occupiers of Francis Davis.	Francis Davis	- - -	Lenford Allen.
23	Portion of Bar Parlour in Beerhouse with Bedroom over, and Portion of Store-room and Two Yards, with Brick Boundary Walls to one, and Brick Boundary Wall, Stone Coping, and Cast Iron Palisades, with Step into the Yard to the other Yard leading to Front Entrance.	James Walworth	- - -	Samuel Foster.
24	Portion of Downstairs Room in Dwelling House, and Bedroom and Entry.	James Walworth	- - -	George Phillips.
25	Portion of Downstairs Room in Dwelling House and Bedroom.	James Walworth	- - -	Hannah Sheppard.
26	Portion of Downstairs Room in Dwelling House and Bedroom.	James Walworth	- - -	Mary Lloyd.
27	Portion of Stable and front Yard with Brick Boundary Wall and Entrance Gateway.	Mary Mellor	- - -	George Pitchford.
28	Portion of Entrance Passage in Beerhouse, with Steps to same, and Portion of Bar Parlour, and Cellar under Bar Parlour and Passage.	James Barlow	- - -	James Barlow.
29	Portion of Garden, with Brick Boundary Walls and Cast Iron Palisades to same, and Stone Coping on Top of Walls.	Elizabeth Meigh	Grosvenor	John Wades.
30	Portion of Downstairs Room in Dwelling House, and Shop used for Sale of Shoes, and Bedroom over same.	Elizabeth Meigh	- - -	William Latham.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
31	Portion of Pool and Land, with Brick Boundary Walls, and Stone Coping.	Old Hall Earthenware Company, Limited.	- - -	Old Hall Earthenware Company, Limited.
32	Portion of Kitchen and Scullery in Dwelling House, and Bedroom over same.	Mary Ann Heath -	- - -	Thomas Johnson.
33	Portion of Downstairs Room in Dwelling House, and Bedroom and Pantry.	Rebecca Heath -	- - -	Job Clewlow.
34	Portion of Downstairs Room in Dwelling House, and Bedroom.	Mary Ann Heath -	- - -	William Clewlow.
35	Portion of Front Yard of Cottage, with Brick Boundary Wall, and Steps at Entrance to Yard, paved with common Blue Bricks, and Portion of Entry.	Sarah Brooks -	- - -	James Brooks.
36	Portion of Front Yard of Cottage, paved with common Blue Bricks, with retaining Brick Wall, and Wood Palisades and Steps to Entrance.	Joseph Peake -	- - -	Ann Palin.
37	Portion of Dwelling House used as a Shop and Lobby, and of Bedroom over same, and Front Land, with Cellar Grid and Portion of Cellar.	James Billington -	- -	James Billington.
38	Portion of Shop and Entry, with Bedroom over same.	Elizabeth Twigg -	- - -	Elizabeth Twigg.
39	Portion of Shop and Entry, with Bedroom over same and Portion of Cellar.	Enoch Bold -	- - -	Jemima Ratcliffe.
40	Portion of Parlour in Dwelling House, and Portion of Entry, Bedroom over.	Enoch Bold -	- - -	Thomas Cottrell Shaw.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
41	Portion of Lead House, Land, Counting House, Office, Mould Chamber, Potters' Workshop, Machine House, Land used as Sherd Heap, 2 Privies and Brick Boundary Wall, and Steps to Counting House and Office, all being in an Earthenware Manufactory.	Elizabeth Meigh -	James William Pankhurst.	James William Pankhurst.

FIFTH PART.

As to the Improvement of New Street.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
42	Portion of Downstairs Room in Dwelling House, Bedroom, Front Yard, with Brick Boundary Wall.	Mary Mellor -	- - -	George Pitchford.

SIXTH PART.

As to the Improvement of Swan Street.

No. on Plan.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
43	Portion of Bar Parlour, Bar, Passage, and Two Bedrooms over same, and Portion of Cellar under Passage in a House used as a Beerhouse.	Jonathan Henry Adams.	- - -	Thomas Stubbs.
44	Portion of Shop, Kitchen with Rooms over same, Portion of Yard with Brick Boundary Wall, and Portion of Scullery Cellar Steps, Cellar, Stairs, and Landing at Top of Stairs in Dwelling House, used as a Grocer's Shop.	Peter Carr -	- - -	Joseph Lawrence.

BURNLEY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of Burnley, in the County of Lancaster, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Street Improvements.*

WHEREAS the Local Board of Health for the District of the Borough of Burnley, in the County of Lancaster, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings to widen, alter, and improve certain Streets within the aforesaid District:

AND WHEREAS the said petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon:

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Burnley aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Thirty-first day of May, in the year One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and PREMISES proposed to be taken, as described in the foregoing Order, and shown upon the Plans accompanying the said Local Board's Petition, are the following, showing the Property so proposed to be taken otherwise than by agreement.

Description of Land, Buildings, and Premises to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
The messuage, inn, or public-house and premises called the Old Red Lion Inn, situate in St. James Street and Market Street.	Daniel Thwaites -	- -	Ann Robertson.
The fishmonger's shop and premises adjoining the said Old Red Lion Inn, and situate in St. James Street.	Daniel Thwaites -	Ann Robertson -	Bridget Henry.
The butcher's shop and premises adjoining the said fishmonger's shop, and situate in St. James Street.	Daniel Thwaites -	Jane Diggle - Edward Diggle.	William Emmett.
The two rooms over or adjoining the back portion of the said butcher's shop and premises, now occupied with the Swan Inn, situate in St. James Street.	Daniel Thwaites -	- - -	Jane Diggle. Edward Diggle.

ACCRINGTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Accrington, in the County of Lancaster, for the Purchase of Lands by the Local Board of Health of the aforesaid District for Market Improvements, &c.

WHEREAS the Local Board of Health for the District of Accrington, in the County of Lancaster, have, in pusuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings to provide within their District additional Market conveniences for the purpose of holding Markets, and for providing buildings and approaches, &c. necessary for the convenient use of such Market, &c.:

AND WHEREAS the said petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings, who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon:

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Accrington aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this Eighth day of May, in the year One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and PREMISES proposed to be taken, as described in the foregoing Order, and shown upon the Plan accompanying the Local Board's Petition, are the following, showing the Property so proposed to be taken otherwise than by Agreement.

No. on Plan.	Description of Land.	Names of Owners or reputed Owners.	Occupiers.
11	Land and Buildings	Benjamin Walmsley, Esq.	Benjamin Walmsley, Esq.
12	Do.	Mr. Francis Hargreaves.	Mr. Francis Hargreaves. Mr. Robert Ingham.

Local Government Supplemental (No. 3.)

A

BILL

To confirm certain Provisional Orders under "The Local Government Act, "1858," relating to the Districts of West Hartlepool, Tormoham, Harrogate, St. Leonard, Wednesfield, Aberdare, Bristol, Derby, Shrewsbury, Netherthong, Hove, New Windsor, Hanley, Burnley, and Accrington; and for other Purposes relative to certain Districts under the said Act.

(Prepared and brought in by
Mr. Knatchbull-Hugessen and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
13 *June* 1866.

[Bill 191.]

Under 9 *oz.*

A

B I L L

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Ramsgate, Leominster, Stalybridge, Lincoln, Maidstone, Banbury, Tunbridge Wells, Bedford, and Southampton; and for other Purposes relative to Districts under the said Act.

Preamble.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and other Provisions made with respect to certain Districts already under the Local Government Act aforesaid:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after *the passing of this Act*, be absolute,

and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Limitation as to Amount of General District Rate in District of Ramsgate.

2. The General District Rate leviable within the District of Ramsgate in the County of Kent, under the Local Government Act, 1858, shall not exceed in any One Year the Sum of One Shilling in the Pound Sterling upon the net annual Value of Property assessable thereto within such District; provided that if it shall at any Time appear that the said Sum of One Shilling in the Pound is not sufficient, it shall be lawful for the Commissioners for the Parish of Ramsgate, acting as the Local Board for such District, with the Consent of the Ratepayers of the said Parish of Ramsgate, in Vestry assembled (of which Vestry Meeting Notice shall be given in the Manner prescribed by Section Five of the Local Act referred to in the Provisional Order bearing Date the Second Day of June One thousand eight hundred and sixty-five, relating to the aforesaid District of Ramsgate, and contained in the Schedule to the Local Government Supplemental Act (1865) No. 5.), to increase the Rate from One Shilling to One Shilling and Sixpence in the Pound Sterling upon the aforesaid net annual Value.

Compensation to Officers under Lincoln Local Act who may be removed.

3. Every Treasurer, Clerk, Surveyor, and other Officer acting under the Local Act recited in the Provisional Order for the City and Borough of Lincoln in the Schedule of this Act contained, Part of which Local Act is repealed by the said Order, whose Office shall, by reason of the Transfer of the Powers of the Commissioners to the Local Board, be wholly or in part superseded and rendered unnecessary, or who shall at any Time within the Space of *Three Years* next after the passing of this Act, except for Misconduct, be removed wholly or in part from such Office, and not be employed and retained in an Office of equal Value, by the Local Board for the said City and Borough of Lincoln, shall be entitled to have an adequate Compensation for the Profits, Salary, and Emoluments of the Office which he shall cease to hold; the said Compensation to be by way of Annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury upon the Report of the said Local Board, to be made within *Three Months* after any such Person shall have been superseded in his Office, founded upon a Declaration made by such Person, setting forth the Salary, Profits, and Emoluments derived by him and his Predecessors for every Year during a Period of *Five Years* next before the Day when he shall have ceased to hold such Office, and such other Evidence as the said Local Board may require as to the Amount, Nature, and Particulars of such Profits; and in assessing the same regard shall be had to the Manner of his Appointment to such Office, and his Term therein; and the said Local Board shall from Time to Time pay to the Person entitled to Compensation, out of any General District Rates, the Money which shall upon such Report, and any Appeal or Reclamation against the same, be finally awarded by the Commissioners of Her Majesty's Treasury as the same shall become due and be payable.

Partial repeal of Provisional Order as to St. John the Baptist, Margate, and new Provisions as to District, &c.

4. Whereas by a Provisional Order of the General Board of Health, bearing Date the Fourth Day of July One thousand eight hundred and fifty-one, and confirmed by the Public Health Supplemental Act, 1851 (No. 2), the Public Act, 1848, was applied to the Parish of Saint John the Baptist, Margate, in the Isle of Thanet, and the said Parish was constituted a District for the Purposes of the said Public Health Act, 1848: And whereas a Portion of that District, being the Portion described as the Rating Area in the said Provisional Order in pursuance of the Act to provide for the Regulation of Municipal Corporations in England and Wales, has been incorporated as the Borough of Margate, by Charter bearing Date the Twenty-ninth Day of July One thousand eight hundred and fifty-seven; and the Local Board for the District has transferred to the Mayor, Aldermen, and Burgesses of the Town and Borough of Margate all the Rights, Powers, Estates, Property, and Liabilities of the said Local Board, and the said Council has since acted as the Local Board of Health for the said District within the said Rating Area; and it has lately been determined by the Court of Queen's Bench that the above-mentioned Transfer from the said Local Board to the said Council was invalid, and had no legal Effect; and the said Council has petitioned the Secretary of State for the Home Department, as One of Her Majesty's Principal Secretaries of State, under the Provisions of the Local Government Act, 1858, hereon: Be it enacted, That so much of the First Section of the aforesaid Provisional Order as directs that the Public Health Act, 1848, and the Public Health Supplemental Act, 1851 (No. 2.), and every Part thereof, except as therein-after provided, should apply to and be in force within the said Parish of Saint John the Baptist, Margate, and that the said Parish should be and constitute One District for the Purposes of the said Public Health Act accordingly; and the Proviso contained in the Second Section of the said Provisional Order shall be repealed, and the Boundary of the District of Margate, for all the Purposes of the Public Health Acts and Local Government Acts, shall be the Boundary of the Borough of Margate for the Time being, and the Council of the said Borough shall be taken and deemed to have been from the Date of the Transfer aforesaid the Local Board of Health of the said District of Margate, and that all the Estates, Property, Powers, Rights, Duties, and Liabilities of the Local Board for the District of Margate at the Date of the said Transfer shall be taken and deemed to have been effectually transferred to and vested in the said Council; and that all the Acts done or Engagements entered into by the Council of the Borough professing to act as the Local Board of Health of the Town of Margate since the Date of the said Transfer shall be taken and deemed to be valid, and the Persons so acting shall be indemnified against all Penalties, Liabilities, Claims, and Demands in consequence of their having so acted: Provided always, that nothing herein contained shall render valid an Order of the said Council for the Extension of the Rating Area of the District of the Parish of Saint John the Baptist, Margate, bearing Date the Thirty-first Day of May One thousand eight hundred and sixty-four.

Provision for a Street Improvement at Halifax.

5. Whereas by a Provisional Order relating to the Borough of Halifax, dated the Twenty-eighth Day of March One thousand eight hundred and sixty-two, and confirmed by the Local Government Supplemental Act, 1862, the Mayor, Aldermen, and Burgesses of the Borough, by the Council of the Borough, being the Local Board of Health for the District of such Borough, were authorized to purchase compulsorily divers Lands and Buildings for the Improvement of divers Streets in the Borough: And whereas by Agreement with that Local Board "John Crossley and Sons, Limited," are improving Two of those Streets called respectively Dean Clough and Angel Road: And whereas it would be a public Improvement if there were substituted for Dean Alley, situate in the Lands of "John Crossley and Sons, Limited," and leading from Dean Clough to Crib Lane in the said Borough, and which is circuitous and inconvenient, a new, shorter, and more convenient Thoroughfare, according to a Plan thereof approved by that Local Board, dated the Sixth Day of June One thousand eight hundred and sixty-six, and which substituted Roadway "John Crossley and Sons, Limited," are willing to make: Therefore "John Crossley and Sons, Limited," shall make, to the reasonable Satisfaction of the said Local Board, a new and convenient Thoroughfare from Dean Clough to Crib Lane according to the said approved Plan, a Copy of which is deposited with the Surveyor of the said Local Board, whereupon Dean Alley shall not again be used as a Thoroughfare, but shall vest in "John Crossley and Sons, Limited," for an Estate in Fee Simple absolute.

Act incorporated with 21 & 22 Vict. c. 98.

6. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

7. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1866" (No. 4). **Short Title.**

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. RAMSGATE.—Alteration of the Ramsgate Improvement Act, 1838, in force within the District of Ramsgate.
2. LEOMINSTER.—Repealing and altering Parts of Local Acts in force within the District of Leominster.
3. STALYBRIDGE.—Repealing and altering Parts of a Local Act in force within the District of the Local Board of Stalybridge.
4. LINCOLN.—Alteration of the Local Act in force within the Local Board's District.
5. MAIDSTONE.—Alteration and Repeal of Parts of Local Acts in force within the Maidstone Local Board District.
6. BANBURY.—For partial Repeal and Alteration of a Provisional Order, applying the Public Health Act, 1848, to the District of Banbury, and of the First Public Health Supplemental Act, 1852.
7. TUNBRIDGE WELLS.—For partial Repeal and Alteration of a Provisional Order, confirmed by the Local Government Supplemental Act, 1864, (No. 2.)
8. BEDFORD.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board otherwise than by Agreement, for Purposes of Drainage and Water Supply.
9. SOUTHAMPTON.—For Extension of the borrowing Powers of the Local Board of Health.

RAMSGATE.

Provisional Order for the Alteration and Amendment of the Ramsgate Improvement Act, 1838, *in force within the District of the Ramsgate Local Board.*

Whereas the Commissioners acting in execution of a certain Local Act of Parliament passed in the first and second years of the reign of Her present Majesty (cap. 70.), intituled " An Act for better paving, lighting, watching, " and improving the Parish of Ramsgate in the County of Kent, and for " regulating the Police thereof," have duly adopted the Local Government Act, 1858, in and for the said Parish of Ramsgate:

And whereas the said Commissioners acting as a Local Board under and for the purposes of the Local Government Act, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration, amendment, and partial repeal of the said Local Act, being an Act in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals, for their own pecuniary benefit, and for other purposes in such Petition set forth; and such alteration, amendment, and partial repeal of the said Local Act were effected by a Provisional Order, under my hand, confirmed by the Local Government Supplemental Act, 1865 (No. 5.):

And whereas the said Commissioners acting as such Local Board have now presented a further Petition to me, praying for a further partial repeal of the said Local Act, and for other purposes in such Petition set forth; and it appears expedient to issue a Provisional Order in relation to the said Petition, but no such Order can be valid without the confirmation of Parliament:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Act aforesaid of 1 & 2 Vict. cap. 70. shall be further altered and amended as follows, and shall be read and have effect accordingly:—

The 61st section of the said Local Act (partially altered by the Provisional Order dated the second day of June One thousand eight hundred and sixty-five) shall be further altered as follows; that is to say, instead of the words " *loitering* or *remaining*," now forming part of such section, the words " loiter or remain " shall be substituted, and also by inserting therein after the words " upon any footway or causeway," now forming part of that section, the words " road, lane, square, or passage, whether a thoroughfare or not," and by inserting therein before the words " to the common danger of passengers," now also forming part of the same section, the word " or," and by inserting therein before the words " or make or assist in making any bonfire," now also forming part of that section, the words " or who (not being the Common Crier, and lawfully engaged) shall ring or sound or use, or cause to be rung or sounded, any bell or other noisy instrument for the purpose of calling persons together, or for announcing any show or entertainment, or of hawking, selling, distributing, or collecting any article whatever."

2.—So much of section 83 of the said Local Act as relates to bathing machines, or the persons attending the same, shall continue in full force and unrepealed, notwithstanding and after the making of byelaws under the 68th section of the Town Police Clauses Act, 1847, and after such bye-laws shall have come into operation.

3.—All the provisions of the said Local Act remaining unrepealed by the said Provisional Order first herein-before mentioned, and by the present or by any Provisional Order to be hereafter issued, shall be incorporated with the Local Government Act, 1858, and the Local Board shall be the Commissioners for executing such unrepealed portions of the said Local Act, and shall use, exercise, and enjoy, and be subject to all the rights, powers, duties, liabilities, and obligations which at the time of the election next herein-after mentioned belong or attach to the Commissioners and the Local Board aforesaid respectively.

4.—Notwithstanding any provision to the contrary in the said Local Act contained, the number of the Commissioners for putting in execution the said Local Act shall, from and after the election next herein-after mentioned, be twenty-four in number, one third of whom shall form a quorum, and one fourth shall in each year go out of office and cease to be Commissioners, the vacancies caused thereby being filled up as in the Local Act, *mutatis mutandis*, is provided; the Rotation List to be formed within four months from the passing of any Act of Parliament confirming this present Provisional Order, but in other respects in the manner mentioned in the 6th section of the said Local Act.

5.—On the third Monday next after the passing of any Act of Parliament confirming this present Order, there shall be an election by the ratepayers of the Parish of Ramsgate, assembled in vestry, of the whole number of the twenty-four Commissioners: Provided always, that until such election shall have taken place the Commissioners who shall be in office at the time of the confirmation of such last-mentioned Provisional Order shall be and remain the Commissioners for putting the Local Act into execution, and for exercising the powers and duties of the Local Board, and that any one or more of the said Commissioners shall be eligible to be elected on the said Board of twenty-four Commissioners: Provided also, that if from any cause in any subsequent year the election of Commissioners shall not take place, the Commissioners then in office shall continue in office until such election shall have been made.

6.—When and so soon as the election of the said twenty-four Commissioners shall have taken place all the lands, hereditaments, estates, property, and effects of and belonging to the Commissioners under the Local Act, or which belonged to the said Commissioners immediately before the adoption of the Local Government Act, 1858, as herein-before mentioned, and which have not since become vested in the said Local Board, shall, in default of and subject to any and all intermediate dispositions thereof, pass to and be vested in the Local Board for the said District of Ramsgate.

7.—Any monies which may at the close of any financial year be in the hands of the Treasurer, and which may not be required for any of the purposes of the Local Act aforesaid, shall from time to time be transferred by such Treasurer to the credit of the General District Rate levied by the Local Board under and by virtue of the Provisions of the Local Government Act, 1858; and such monies shall in such case be applicable to the purposes of the said General District Rate, and shall be applied thereto.

Given under my hand this Twenty-first day of June
One thousand eight hundred and sixty-six.
(Signed) G. Grey.

LEOMINSTER.

Provisional Order for the partial repeal and alteration of the Leominster Local Acts in force within the District of the Leominster Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Leominster in the County of Hereford, by the Council of the said Borough, have duly adopted the Local Government Act, 1858, in and for the said Borough; and the said Council acting as a Local Board, under and for the purposes of such Act, have, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration, amendment, and partial repeal of the herein-after recited Local Acts in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any Corporation, Company, Undertakers, or Individuals, for their own pecuniary benefit, and for other purposes in such Petition set forth; that is to say,

An Act passed in the forty-eighth year of the reign of King George the Third (48 Geo. 3. cap. 148.), intituled "An Act for inclosing Lands in the "Borough of Leominster in the County of Hereford, and in the Township "of Luston, in the Parish of Eye, in the said County, and for paving and "otherwise improving the streets and other public places within the Town of "Leominster in the said County."

Also, an Act passed in the first year of the reign of Queen Victoria (1 Vict. cap. 14.), intituled "An Act to amend an Act of the forty-eighth year of the "reign of His Majesty King George the Third, relating to the improvement "of the Town of Leominster in the County of Hereford."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and made in the said District in respect of the several matters mentioned in the said Petition, and report duly made to me thereon by Arnold Taylor, Esquire, the inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Act (48 Geo. 3. cap. 148.) shall be repealed, saving and excepting the sections thereof described and referred to in the Schedule hereunto annexed.

2.—The Local Act (1 Vict. cap. 14.) shall be repealed, saving and excepting the sections thereof described and referred to in the Schedule hereunto annexed.

3.—The powers, authorities, and duties of the Trustees for the time being acting in the execution of the Local Acts herein-before recited shall cease and determine; and such powers, authorities, and duties shall be transferred to and become vested in the Local Board aforesaid.

4.—All the property and estate of the Trustees acting in execution of the said Local Acts shall be transferred to and become vested in the said Local Board, and the latter shall have full power and authority absolutely to sell and dispose of the same, or any part or parts thereof, for all or any of the purposes of the Local Government Act, 1858.

5.—All debts and liabilities under the said Local Acts shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then such debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities, as if such debts and liabilities had been incurred under the said Local Government Act.

6.—All arrears of rates or monies that may be due and owing to the Trustees acting under the herein-before recited Local Acts at the date of the passing of this Act, shall be transferred and paid over to the aforesaid Local Board on or before the first day of January One thousand eight hundred and sixty-seven.

7.—All expenses under the unrepealed portions of the said Acts shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

8.—The provisions of the said herein-before recited Local Acts not hereby repealed shall be incorporated with the said Local Government Act, and the said Local Board shall execute the said unrepealed portions of such Acts.

Given under my hand this Twentieth day of June in the year One thousand eight hundred and sixty-six.

(Signed) G. Grey.

Schedule

SCHEDULE to which this Order refers.

The sections to be retained in the herein-before recited Local Acts are,—

1.—In the said firstly herein-before recited Local Act (48 Geo. 3. cap. 148.), the sections numbered respectively 62, 63, 64, 75, 81 (except the paragraph imposing a penalty for leaving cellar windows open), and 82.

2.—In the said secondly herein-before recited Local Act (1 Vict. cap. 14.), the sections numbered respectively 6, 13, 14, 15, and 25 to 31, both inclusive.

STALYBRIDGE.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Stalybridge Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Stalybridge in the Counties of Lancaster and Chester, acting as the Local Board in and for the Borough aforesaid, in which parts of the Local Government Act, 1858, and of the Acts incorporated therewith, are in force, have, in pursuance of such first herein-before mentioned Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the ninth year of the reign of King George the Fourth (9 Geo. 4. c. 26.), and intituled "An Act for lighting, watching, and "otherwise improving the Town of Stalybridge in the Counties Palatine "of Lancaster and Chester, and for regulating the Police thereof, and "for establishing and regulating a Market and erecting a Market Place "within the said Town."

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition by Robert Morgan, Esquire, the Inspector appointed by me for the purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The following part of the 160th Section of the said herein-before recited Local Act passed in the ninth year of the reign of King George the Fourth shall be repealed, so far as the provisions thereof apply to and are in force within the limits of the aforesaid District of the Borough of Stalybridge; that is to say, the words (occurring in the twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth lines of sec. 160 of such Act, printed by the King's Printers at the time of such Act being passed,) "but so nevertheless that there shall not be owing "upon the security last aforesaid, at any one time, more than the "aggregate sum of six thousand pounds;" and, notwithstanding the said limitation of their borrowing powers, the said Local Board may, under and according to the provisions of the said Local Act, the parts of the Local Government Act, 1858, and of the Acts incorporated therewith, and duly adopted in the Stalybridge District, exercise borrowing powers, not to exceed at any one time the sum of twenty thousand pounds, on security of the Police and Improvement Rate or Assessment to be levied by them in their District.

Given under my hand this Eighteenth day of June One thousand eight hundred and sixty-six.

(Signed) G. Grey.

LINCOLN.

Provisional Order for the partial repeal and alteration of the Lincoln Local Act in force within the District of the Lincoln Local Board.

Whereas the Mayor, Aldermen, and Citizens of the City and Borough of Lincoln, by the Council of the said City and Borough, have duly adopted the Local Government Act, 1858, in and for their District; and the said Council acting as a Local Board, under and for the Purposes of such Act, have, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration, amendment, and partial repeal of the herein-after recited Local Act in force within the said District having relation to the Purposes of the said Local Government Act, and not conferring powers or privileges upon any Corporation, Company, Undertakers, or Individuals for their own pecuniary benefit, and for other Purposes in such Petition set forth; that is to say,

An Act passed in the ninth year of the reign of King George the Fourth (9 Geo. 4. cap. 27.), intituled "An Act for paving, lighting, watching, and "improving the City of Lincoln, and the Bail and Close of Lincoln, in the "County of Lincoln, and for regulating the police therein:"

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and made in the said District in respect of the several matters mentioned in the said Petition, and report duly made to me thereon by Arnold Taylor, Esquire, the inspector appointed for the purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Act (9 Geo. 4. cap. 27.) shall be repealed, so far as relates to the Sections set forth and referred to in the Schedule hereunto annexed; and all exemptions from rating conferred by such Act shall cease and determine.

2.—The powers, authorities, and duties of the Commissioners for the time being acting in the execution of the Local Act herein-before recited shall cease and determine; and such powers, authorities, and duties shall be transferred to and become vested in the Local Board aforesaid.

3.—All the property and estate of the Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board, and the latter shall have full power and authority absolutely to sell and dispose of the same, or any part or parts thereof, for all or any of the purposes of the Local Government Act, 1858.

4.—All debts and liabilities under the said Local Act shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then such debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities.

5.—All arrears of rates or monies that may be due and owing to the Commissioners acting under the herein-before recited Local Act at the date of the passing of this Act shall be transferred and paid over to the aforesaid Local Board on or before the first day of January One thousand eight hundred and sixty-seven; and the said Local Board shall have all the powers and remedies for recovering and enforcing payment of any arrears of the said rates remaining unpaid after the passing of the said Act confirming this Order as were vested in the said Commissioners under the said Local Act.

6.—All expenses under the unrepealed portions of the said Local Act shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

7.—The provisions of the said herein-before recited Local Act not hereby repealed shall be incorporated with the said Local Government Act, and the said Local Board shall execute the unrepealed portions of such Act.

8.—The provisions of clauses 74, 75, 76, and 93 of the said Local Act (9 Geo. 4.) shall be considered as having relation to the ninth day of May one thousand eight hundred and twenty-eight, the day on which the said Act received the Royal Assent.

9.—The powers vested by section 92 of the said Local Act in Justices of the Peace shall be in future vested in the said Local Board as well as in the said Justices.

10.—The powers given by section 28 of the Towns Police Clauses Act, 1847, to any constable or other officer appointed by that or the special Act shall be vested in the police constables of the city of Lincoln.

11.—The Local Board aforesaid shall have no power, without the previous consent in writing of the Dean and Chapter of the Cathedral Church of Lincoln, under the hand of their Chapter Clerk, to affix, set up, or place any such lamps, lamp-posts, irons, and works as are referred to in the 46th section of the Local Act aforesaid (9 Geo. 4. cap. 27.) upon or against the walls or buildings of the Cathedral Church of Lincoln, or upon or against the palisades or railings surrounding the same.

12.—Any duties imposed by the provisions of the said Local Act (9 Geo. 4.) not hereby repealed on the Clerk to the said Commissioners shall be discharged by the Clerk to the said Local Board, and all notices required to be given by such provisions, or by the said Local Government Act, 1858, either to Members of the Local Board of the Meetings of the Board, or otherwise, or to any other person or persons, may be signed by the Clerk for the time being to the said Local Board.

Given under my hand this Twenty-second day of June in the year One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE to which this Order refers.

The sections to be repealed in the herein-before recited Local Act (9 Geo. 4, cap. 27.) are the following:—

1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 49, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, and 169.

MAIDSTONE.

MAIDSTONE.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Maidstone Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Maidstone in the County of Kent, acting as the Local Board in and for the Borough aforesaid, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of certain Local Acts of Parliament in force within the Borough and Parish of Maidstone, having relation to the Purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

The Acts 31 Geo. 3. c. 62.; 36 Geo. 3. c. 66.; 42 Geo. 3. c. 90.; 59 Geo. 3. c. 16.; 5 Geo. 4. c. 109.:

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Acts shall be repealed and altered as specified in the Schedule hereunto annexed.

2.—All the powers, rights, duties, and authorities of the Commissioners acting in execution of the said Local Acts under the unrepealed portions of the said Acts, shall pass to the said Local Board.

3.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board, and all arrears of rates or monies that may be due and owing to the said Commissioners at the time of the passing of this Act shall be payable to the said Local Board as they would have been payable to the said Commissioners if this Act had not been passed.

4.—All debts contracted, and all monies, and securities for money payable by such Commissioners shall be paid and satisfied by the said Local Board out of money to be borrowed on the security of the rates under the Local Government Act, 1858, in the same manner as if such debts had been incurred, and such securities given, under the said Local Government Act.

Given under my hand this seventeenth day of July One thousand eight hundred and sixty-six.

(Signed) S. H. WALPOLE.

SCHEDULE to which this Order refers.

The following are the Local Acts to be wholly and entirely repealed; viz.:—

31 Geo. 3. c. 62.
36 Geo. 3. c. 66.
42 Geo. 3. c. 90.

The Local Act 59 Geo. 3. c. 16. shall be repealed, except Sections 16, 17, 18, 19, 20, 21, 22, 23, and 26; and the aforesaid 16th and 17th Sections of such Act shall hereafter be read and be of effect as if the power thereby conferred to make wharves on certain land therein described, and to take tolls thereat, likewise authorized and extended to the forming, constructing, and maintaining of wharves at or on any part of the land belonging or which may hereafter belong to the Local Board which may abut upon or have a frontage to the River Medway, and taking tolls thereat.

The aforesaid 18th Section, moreover, shall be read and taken to empower the Local Board acting under and in execution of it to recover by action at law, and also in the same way as penalties, all tolls imposed by the said Act as altered by this Order; and the tolls imposed by the aforesaid 20th Section shall be recoverable in the same manner as tolls under Section 18. as altered by this Order.

The Local Act 5 Geo. 4. c. 109. shall be wholly and entirely retained, excepting the penalty of 40*s.* now imposed by the 20th Section of the said Act on persons selling or hawking goods outside the markets, and except the proviso at the end of the 24th Section of the said Local Act, limiting the rents for stalls or shops rented by the year, half year, or by the quarter.

BANBURY.

Provisional Order for the partial Repeal and Alteration of a Provisional Order applying the Public Health Act, 1848, *to the District of Banbury, and of the First Public Health Supplemental Act,* 1852.

WHEREAS the Public Health Act, 1848, was duly applied to the District of Banbury, comprising the Corporate Borough of Banbury and the non-corporate townships, hamlets, or places of Neithrop, Hardwick, Calthorpe, Wickham, and Easington, in the County of Oxford, and Grimsbury and Nethercote in the County of Northampton (the same being an area co-extensive with the ecclesiastical Parish of Banbury), by a Provisional Order of the General Board of Health, bearing date the 28th day of July 1851, confirmed by the First Public Health Supplemental Act, 1852; and whereas by the 4th Section of the last herein-before mentioned Act it is provided, "That the rates leviable within the District of Banbury, as constituted by the Order in the Schedule to this Act, under the Public Health Act, 1848, or so much of any Local Act as remains unrepealed by the Provisional Order applying the said Public Health Act within the said District, or any Act incorporated with the said Public Health Act, as applied to the said District by the said Order and this Act, shall not, inclusive of all highway rates, in any one year exceed in the whole the sum of three shillings and sixpence in the pound upon the net annual value of property assessable thereto within the corporate part of any such District, or the sum of two shillings in the pound upon the net annual value of property assessable to such rates, or any of them, within the non-corporate part of the said District, except property within the non-corporate part of the said District consisting of land used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds, land covered with water, or used only as a canal or towing path for the same, or as a railway constructed under the powers of any Act of Parliament for public conveyance; and as to such excepted property, the rates so leviable, inclusive of all highway rates, shall not in any one year exceed in the whole the sum of sixpence in the pound upon the net annual value of such excepted property."

And whereas the provisions contained in the said Section of such Act, so far as the same are applicable to that portion of the non-corporate part of the aforesaid District of Banbury therein mentioned which is situated in the County of Northampton have been found to operate unfairly and oppressively as between the ratepayers of and in such portion who are now by law assessed at the full net annual value of their property, and the ratepayers of and in such portion who are now by law assessed at one fourth of the full net annual value of their property within the District aforesaid; and whereas the said Local Board of Health have, in pursuance of the provisions of the 77th Section of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying that the provisions contained in the Provisional Order applying the Public Health Act, 1848, to the aforesaid District of Banbury, and in the First Public Health Supplemental Act, 1852, may be partially repealed or altered, and such new provision made as would empower the said Local Board of Health for the time being to levy, throughout the non-corporate parts of such District situate in the County of Northampton, highway rates not exceeding in any one year the sum of one shilling in the pound, and enact that the land and other property in the last herein-before mentioned parts of such District which, by the provisions of the Public Health Act, 1848, are assessable on one fourth only of the annual value thereof, should not, in any year in which the same should be assessed to any Highway Rate or Rates, be assessed to or liable to the paying of any other rates whatever to be made by the said Local Board.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

The Local Board of Health for the said District shall, and they are hereby required, when and so often as occasion shall require, to make and levy, in accordance with the general powers of rating now vested in the said Board, and in conformity with the provisions contained in the 5th and 6th parts of the 37th Section of the Local Government Act, 1858, and in addition to the several rates and amounts respectively which they are now authorized and empowered to make and levy under and by virtue of the herein-before recited First Public Health Supplemental Act, 1852, a highway rate or rates not exceeding in any one year the sum of one shilling in the pound upon the full net annual value of all assessable property which is situate within that portion of the non-corporate part of the said District which lies in the County of Northampton, for the purpose of defraying the costs, charges, and expenses of and incidental to the maintenance and repair of highways in the said portion of the said District; and such rate or rates so to be made and levied under and in pursuance of the powers and authorities herein-before contained shall be exclusively used and applied for the purposes aforesaid: Provided always, that when and so long as any highway rate is made and shall be leviable under and in pursuance of the powers and authorities herein-before contained, the said Local Board shall not be empowered during the continuance of the said rate, to assess or levy, under and by virtue of the powers contained in the said First Public Health Supplemental Act, 1852, upon the following species of property within the said portion of the said District, (that is to say,) upon land used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds, land covered with water, or used only as a canal or towing path for the same, or as a railway constructed under the powers of an Act of Parliament for public conveyance, any rate or rates which the said Local Board is now empowered to assess and levy upon the said several species of property, under and by virtue of the said powers contained in the First Public Health Supplemental Act, 1852, aforesaid.

Given under my hand this Eighteenth day of June One thousand eight hundred and sixty-six.

(Signed) G. Grey.

TUNBRIDGE WELLS.

Provisional Order repealing and altering Parts of the Tunbridge Wells Provisional Order, and of the Local Government Supplemental Act, 1864 *(No. 2.), confirming the same.*

Whereas the Board of Tunbridge Wells Improvement Commissioners, in pursuance of the Local Government Act, 1858, presented a Petition to One of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of certain Acts of Parliament in force within their district, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say, an Act passed in the ninth and tenth years of the reign of Queen Victoria, intituled the Tunbridge Wells Improvement Act, 1846; and

A certain other Act passed in the twenty-third and twenty-fourth year of the reign of Queen Victoria, intituled, the Local Government Supplemental Act, 1860 (No. 2.), so far as the said Act relates to the aforesaid Tunbridge Wells District:

And whereas a Provisional Order to such effect, bearing date the 11th June 1864, was confirmed by the Local Government Supplemental Act, 1864 (No. 2.):

And whereas the said Tunbridge Wells Improvement Commissioners, being the Local Board for the District of Tunbridge Wells, have now presented a further Petition to one of Her Majesty's Principal Secretaries of State, under the 77th section of the Local Government Act, 1858, for a Provisional Order for partially repealing and altering the said Provisional Order, and the Local Government Supplemental Act, 1864 (No. 2.), confirming that Order:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1. Section 2 of the Provisional Order of the 7th day of July 1860 relating to Tunbridge Wells, which was confirmed by the Local Government Supplemental Act 1860 (No. 2.), shall, as from and after the passing of the Local Government Supplemental Act, 1864 (No. 2.), be deemed not to have been repealed by that Act of 1864, and with respect to all Matters happening after the passing of that Act of 1860 shall be read and have effect as if it had not been so repealed.

2. The Provisional Order of the 11th day of June 1864 relating to Tunbridge Wells, and repealing and altering parts of Acts, and which was confirmed by the Local Government Supplemental Act, 1864 (No. 2.), shall with respect to all matters happening after the passing of that Act be read and have effect as if there had been contained therein, and had been confirmed by that Act, in addition to the section 1 contained in that Provisional Order, the sections following; that is to say,—

2.—Notwithstanding the repeal provided for by this Provisional Order of parts of the recited Acts the Tunbridge Wells Improvement Commissioners shall continue to exist, and shall be seised and possessed of and entitled to all lands, estates, rights, interests, property, moneys, effects, and choses in action of and to which they or any persons on their behalf are, immediately before the passing of an Act confirming this Provisional Order, seised, possessed, and entitled at law or in equity or otherwise howsoever, but subject to all debts, liabilities, and engagements to which the same, or the Commissioners or any persons in their behalf, are in respect of the same then subject.

3.—Notwithstanding the repeal, all moneys which in respect of rates or on any account whatsoever are immediately before the passing of an Act confirming this Provisional Order due or accruing due to or by the Tunbridge Wells Commissioners, with the interest if any thereon, shall, when and as the same are payable, be paid to or by the Commissioners, and may be recovered by or from them either as if the repeal had not happened or, at the option of the party entitled to recover the same, under the provisions applicable in that behalf of the Public Health and Local Government Acts in force within and for the District.

4.—Notwithstanding the repeal, all mortgages of rates granted by the Tunbridge Wells Improvement Commissioners before the passing of an Act confirming this Provisional Order, and immediately before the passing thereof in force, shall continue in force, but shall be deemed to be and shall have effect as mortgages of the General District Rate of the Commissioners, and the amounts thereby secured or any parts thereof may be reborrowed, and whether reborrowed or not shall, with the interest thereon, be paid off or discharged accordingly.

5.—The purposes of the several sections which are specified in the schedule to this Provisional Order shall, from and after the passing of any Act confirming this Provisional Order, be deemed to be purposes of the Local Government Act, 1858, and the expenses of carrying those sections into execution shall be paid by the Tunbridge Wells Improvement Commissioners accordingly.

6.—After the passing of the Act confirming this Provisional Order, the Tunbridge Wells Improvement Commissioners from time to time shall raise by their General District Rate the moneys requisite for paying or discharging the debts, liabilities, engagements, moneys, interest, and expenses which under this Provisional Order when so confirmed are to be borne and paid or discharged by them, with the expenses of raising the same, and shall apply the moneys so raised accordingly.

Given under my hand this Twenty-first day of June
One thousand eight hundred and sixty-six.

(Signed) G. Grey.

BEDFORD.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Bedford Local Board, for the Purchase of Lands by the said Board for purposes of Drainage and Water Supply.*

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Bedford, being, by the Council of the said Borough, the Local Board in and for the District of the said Borough, have, in pursuance of the provisions of the

75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to execute certain works of Sewerage and Water Supply for the said Borough.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, as shown in the Plans accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Bedford, being, by the Council of the said Borough, the Local Board for the District of that Borough, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand, this Eighteenth day of June One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following, the same being coloured Red on the Plans accompanying the Report of the Inspector with respect to the herein-before described Petition of the Local Board.

Purposes for which Lands are required.	Parish.	Description.	Quantity.			Owners.	Lessees.
			A.	R.	P.		
Lands required for Waterworks.							
Pumping Works	St. Paul, Bedford.	Osier Bed Land Buildings and Yards	0 0 0	1 2 0	17 13 10	Thomas Gwyn Empy Elger. William Henry Elger.	Joseph Davis.
Reservoir	St. Paul, Bedford.	Land	1	0	0	Cecil Long Thomas Chandless the younger.	James Howard. Frederick Howard.
Lands required for Sewerage Works.							
Outfall	Goldington	Land adjoining Stream	0	0	2	London and North-western Railway Company.	—

SOUTHAMPTON.

Provisional Order for extending the Borrowing Powers of the Southampton Local Board of Health.

WHEREAS the Local Board of Health for the District of Southampton have, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow, (for the purpose of carrying out works of a permanent nature), on mortgage of rates leviable by the aforesaid Board, a sum or sums not exceeding Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings, which (together with the amount already borrowed) will not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas, after due inquiry, I am of opinion that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health in and for the District of Southampton shall have power and authority to borrow or re-borrow, for the execution and completion of works of a permanent nature, and on mortgage of the rates leviable by them as such, an amount not exceeding Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings, which will not, with the sums already borrowed, exceed in the whole two years assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District; the aforesaid amount of Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Eighteenth day of July One thousand eight hundred and sixty-six.

(Signed) S. H. WALPOLE.

Local Government Supplemental (No. 4.)

A

BILL

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Ramsgate, Leominster, Stalybridge, Lincoln, Maidstone, Banbury, Tunbridge Wells, Bedford, and Southampton; and for other Purposes relative to Districts under the said Act.

(*Prepared and brought in by*
Mr. Secretary Walpole and Mr. Hunt.)

Ordered, by The House of Commons, *to be Printed,*
23 *July* 1866.

[Bill 236.]

Under 3 *oz.*

A

BILL

TO

Enable Corporate and other Public Bodies in Ireland to grant Superannuation Allowances to Officers in their Service in certain Cases.

Preamble.

WHEREAS it is expedient that Provision should be made to enable Superannuation Allowances to be granted to Corporate and other local Public Officers in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Public Bodies in Ireland, with Consent of Lord Lieutenant, may grant Superannuation Allowances to their Officers.

1. The various public Bodies in the Schedule to this Act annexed may, at their Discretion, with the Consent of the Lord Lieutenant or other Chief Governor of Ireland, grant to any Officer in their Service who shall become incapable of discharging the Duties of his Office with Efficiency, by reason of permanent Infirmity of Mind or Body, or of old Age, upon his resigning or otherwise ceasing to hold his Office, an annual Allowance not exceeding in any Case *Two Thirds* of his then Salary and Emoluments, and shall charge such Allowance to the same Fund as that to which such Salary and Emoluments would have been charged if he had continued in his Office.

Limitation of Grants of Superannuation Allowances.

2. No Officer shall be entitled to such Allowance on the Ground of Age who shall not have completed the full Age of *Sixty Years*, and who shall not have served as an Officer of the public Body hereby authorized to grant such Allowances *Twenty Years* at the least.

Conditions of Grant.

3. No Grant shall be valid under this Act if made by a Public Body, meeting from Time to Time, unless it shall be sanctioned by Two Meetings of such Body, the Second Meeting to be at an Interval of not less than *One Month* from the First, and unless at the Second Meeting the Sanction of the Lord Lieutenant or other Chief Governor of Ireland, signified in Writing by the Chief or Under Secretary of Ireland for the Time being, to such proposed Superannuation, shall be produced and laid before the same; and no Grant shall be valid if made by a Grand Jury unless the same shall be sanctioned by Two Grand Juries, and unless the Sanction of the Lord Lieutenant or other Chief Governor of Ireland to such proposed Superannuation, signified as aforesaid, shall be produced and laid before the Second Grand Jury.

The Collector General of Rates in Dublin and his Officers may be superannuated.

4. The Lord Lieutenant or other Chief Governor of Ireland may, at his Discretion, grant a Superannuation Allowance to the Collector General of Rates in Dublin, and to the Officers employed in the Office of the said Collector General; but such Superannuation Allowance shall in no Case exceed the Amount which public Bodies are hereby authorized to grant to Officers in their Service, and shall be subject to the same Restrictions as to mental and bodily Infirmity, Age, and Service, as is herein-before provided with respect to Grants by public Bodies to Officers in their Service under this Act; and in case of the Grant of any such Superannuation Allowance it shall be lawful for the Collector General of Rates in Dublin for the Time being to add such Superannuation Allowance to the Expenses of the Management of his Office, and to charge the same in the same Manner and on the same Funds as he is now authorized by Law to charge said Expenses; and such Superannuation Allowance shall be a Charge on said Funds, in addition to any Sum he is now by Law entitled to charge on the same.

Superannuation Allowances not to be assignable.

5. All Allowances granted under this Act shall be payable to or in trust for such Officer only, and shall not be assignable for nor chargeable with his Debts or other Liabilities.

Act not to affect Right to Superannuation

6. Nothing herein contained shall affect the Right of any Officer of any of the Public Bodies in the Schedule to this Act mentioned who may be entitled to any Superannuation Allowance under any other Act or Acts; but after the Decease of any such Officer his Successor shall cease to be entitled to any Superannuation Allowance under any former Act, and shall only be entitled to claim and be paid Superannuation Allowance under this Act.

under other Acts.

7. This Act shall be called "The Local Officers Superannuation Act (Ireland), 1866."

Title of this Act.

SCHEDULE.

Names of public Bodies authorized by this Act to grant Superannuation Allowances to their Officers.

1. The Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin.
2. The Mayor, Aldermen, and Burgesses of the several Boroughs or Towns Corporate in Ireland.
3. The Town Commissioners acting under the 9 Geo. 4. c. 82. or the 17 & 18 Vict. c. 103., or any Acts amending the same, in any Town in Ireland.
4. Any Board or Commissioners acting in any Town or County in Ireland under any Local Act.
5. The several Grand Juries of the several Counties in Ireland.

Local Officers Superannuation (Ireland).

A

BILL

To enable Corporate and other Public Bodies in Ireland to grant Superannuation Allowances to Officers in their Service in certain Cases.

(Prepared and brought in by
Sir Colman O'Loghlen and Sir John Gray.)

Ordered, by The House of Commons, *to be Printed,*
9 *April* 1866.

[Bill 92.]

Under 1 *oz.*

A

BILL

TO

Amend the Acts relating to Lunacy in Scotland, and to make further Provision for the Care and Treatment of Lunatics.

WHEREAS an Act was passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled "An Act for the Regulation of the Care and "Treatment of Lunatics, and for the Provision, Maintenance, and "Regulation of Lunatic Asylums, in Scotland;" and another Act was passed in the Twenty-first and Twenty-second Year of the Reign of Her present Majesty, intituled "An Act to amend an "Act of the last Session for the Regulation of the Care and "Treatment of Lunatics, and for the Provision, Maintenance, and "Regulation of Lunatic Asylums, in Scotland;" and another Act was passed in the Twenty-fifth and Twenty-sixth Year of the Reign of Her present Majesty, intituled "An Act to make farther "Provision respecting Lunacy in Scotland;" and another Act was passed in the Twenty-seventh and Twenty-eighth Year of the Reign of Her present Majesty, intituled "An Act to continue the "Deputy Commissioners in Lunacy in Scotland, and to make "farther Provision for the Salaries of the Deputy Commissioners, "Secretary, and Clerk of the General Board of Lunacy in Scot-

20 & 21 Vict. c. 71.

21 & 22 Vict. c. 89.

25 & 26 Vict. c. 54.

27 & 28 Vict. c. 59.

land:" And whereas it is expedient that the said Deputy Commissioners should be continued, that certain of the Provisions of the said Acts should be amended, and that farther Provision should be made for the Regulation of the Care and Treatment of Lunatics, and for the Regulation of Lunatic Asylums, in Scotland:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Lunacy (Scotland) Act, 1866."

Construction of Act.

2. This Act shall be construed with the recited Acts as One Act, and this Act and the said recited Acts may be recited together as the Lunacy (Scotland) Acts.

Continuance of Deputy Commissioners.

3. The Provisions of the Twentieth and Twenty-first Victoria, Chapter Seventy-one, first recited, and of the Twenty-seventh and Twenty-eighth Victoria, Chapter Fifty-nine, last recited, in regard to the Appointment and Salary of Deputy Commissioners, shall be and are hereby continued until Parliament shall otherwise determine.

Medical Officers of Asylums may not grant Certificates.

4. It shall not be lawful for the Medical Superintendent, ordinary Medical Attendant, or Assistant Medical Officer of any Asylum, to grant a Certificate of Insanity for the Reception of any Lunatic, not a Pauper Lunatic, into such Asylum, except the Certificate of Emergency authorized by Section Fourteen of the third-recited Act.

Orders and Medical Certificates may be amended.

5. Section Thirty-six of the first-recited Act is hereby repealed; and in lieu thereof be it enacted, That if after the Reception of any Lunatic into any Asylum or House it appears that any Order or Medical Certificate upon which he was received is in any respect incorrect or defective, such Order or Medical Certificate may be amended by the Person who has granted the same at any Time within *Twenty-one Days* after the Reception of such Lunatic: Provided nevertheless, that no such Amendment shall have any Force or Effect unless the same shall receive the Sanction of the Board, and, failing such Amendment, it shall be lawful for the Board to report such Failure to the Sheriff, who shall, if satisfied that the original Order or Medical Certificates are in any respect incorrect or defective, and of the Failure to amend them, recal such original Order.

Orders to remain in force although Patient absent from Asylum.

6. In every Case in which any Lunatic or any Person who has entered an Asylum for Treatment under Authority of this Act is temporarily absent from the Asylum or House for his Reception into which the Order was given shall escape from such Asylum or House, or from the Care of the Officers thereof, such Order shall remain in force in the same Manner as if such Lunatic or Person as aforesaid were not absent or had not escaped: Provided always, that such Lunatic or Person as aforesaid shall return or be brought back to such Asylum or House within a Period not exceeding *Fourteen Days* from the Day on which he left or escaped from such Asylum or House, or within a Period of *Three Months* where such Lunatic or Person as aforesaid is accompanied by or remains under the Care of the Officers or Attendants of such Asylum or House.

Determination of Orders.

7. The Powers conferred by the Sheriff's Order for the Reception and Detention of any Lunatic in any Asylum or House shall cease and determine with the Notice of Discharge of such Lunatic given by the Superintendent of such Asylum or House to the Board; and in no Case shall the Sheriff's Order remain in force longer than the *First Day of January* first occurring after the Expiry of *Three Years* from the Date on which it was granted, or than the *First Day of January* in each succeeding Year, unless the Superintendent or Medical Attendant of the Asylum or House in which the Lunatic is detained shall, on each of the said *First Days of January*, or within Fourteen clear Days immediately preceding, grant and transmit to the Board a Certificate, on Soul and Conscience, according to the Form of Schedule A. hereunto annexed, that the Detention of the Lunatic is necessary and proper, either for his own Welfare or the Safety of the Public.

Discharge on Probation of Pauper Lunatics.

8. Every Pauper Lunatic who is discharged on Probation from any Asylum or House shall remain subject to Inspection by the Commissioners during the Period of Probation; and it shall not be lawful for the Parochial Board to take any such Pauper Lunatic off the Poor's Roll, or to alter the Conditions on which probationary Discharge was granted, without the Sanction of the Board, during the Period of Probation; and every Inspector of the Poor who shall infringe these Provisions shall be liable in a Penalty not exceeding *Ten Pounds.*

Discharge of Pauper Lunatics by Authority of Parochial Board.

9. It shall be lawful for any Parochial Board, by a Minute at a duly constituted Meeting, to direct that any Pauper Lunatic (not being a Lunatic committed as a dangerous Lunatic under the Fifteenth Section of the third-recited Act) with whose Maintenance it is chargeable, and who is detained in any Asylum or House, shall be be discharged or removed therefrom; and if a Copy of such Minute, certified to be a true Copy by the Chairman for the Time of such Parochial Board, be produced to and left with the Superintendent of such Asylum, he shall, within *Seven Days* from the Production of such Minute, discharge such Lunatic, or cause or suffer such Lunatic to be discharged: Provided always, that, on the written Representation of such Superintendent that such Lunatic is dangerous to himself or the Public, or in any other Way not a fit Person to be discharged, it shall be lawful for the Board to prohibit the Discharge of any such Lunatic; and any Inspector of the Poor removing any Pauper Lunatic from an Asylum or House against the written Representation of the Superintendent of such Asylum or House, without the Sanction of the Board, shall be liable in a Penalty not exceeding *Ten Pounds.*

Inspector of Poor to intimate Removal of Pauper Lunatics.

10. Whenever any Pauper Lunatic has been removed from an Asylum or House by a Minute of the Parochial Board, the Inspector of the Poor shall, within *Fourteen Days*, intimate to the Board the Date of Removal, the Situation of the House to which he has been removed, the Christian Name and Surname of the Occupier thereof, and the Amount and Nature of the Parochial Allowances made to such Pauper Lunatic, and that under a Penalty of *Ten Pounds;* and it shall not be lawful for the said Parochial Board to remove such Lunatic to any other House, or to make any Alteration in the Nature and Amount of the Parochial Allowances, without the same being communicated within *Fourteen Days*, by the Inspector of the Poor, to the Board, under a similar Penalty; and it shall be lawful for the Board, at any Time whenever they see fit, to order the Lunatic to be replaced in an Asylum, and it shall not be lawful for the Relatives of any Pauper Lunatic for whose Removal to an Asylum the Board have issued an Order to take him off the Poor's Roll without their Sanction; and every Inspector of the Poor who shall delay for more than *Fourteen Days* sending any Pauper Lunatic to an Asylum, after receiving the Order of the Board to do so, shall be liable in a Penalty not exceeding *Ten Pounds.*

Pauper Lunatics may be removed from Poor's Roll and intrusted to private Parties.

11. It shall be lawful for any Parochial Board, by a Minute at a duly constituted Meeting, to remove from the Poors' Roll any Pauper Lunatic in any Asylum or House for whose Maintenance it is responsible, and to intrust the Disposal of such Lunatic to any Party who shall undertake to provide, in a Manner satisfactory to the Parochial Board, for his Care and Treatment; and on the Demand of such Party, and the Production and Delivery of a Copy of such Minute, certified to be a true Copy by the Chairman for the Time of such Parochial Board, the Superintendent of such Asylum or House shall permit the Removal of such Lunatic: Provided always, that in every Case in which such Superintendent is of opinion that such Removal will be injurious to such Lunatic, or a Risk to the Public, it shall be lawful for such Superintendent to detain such Lunatic for a Period not exceeding *Fourteen Days* from the Production of such certified Copy of such Minute, and to report the Case to the Board, and on the Report of such Superintendent, or on any Grounds which the Board may deem satisfactory, it shall be lawful for the Board to authorize the continued Detention of such Lunatic in the Asylum or House, and the Parochial Board shall continue to be responsible to the Asylum or House for his Maintenance.

As to Lunatics received into any private House.

12. Section Forty-one of the first-recited Act is hereby repealed; and in lieu thereof, no Person shall receive or keep any Person as a Lunatic for Gain, without the Order of the Sheriff or the Sanction of the Board; and any Person who shall receive into his House any such Person, or any Person alleged to be a Lunatic, shall, within *Fourteen clear Days* thereafter, make Application for such Order or Sanction; provided always, that when the Lunatic is a Pauper Lunatic such Application shall be made by the Inspector of the Poor, and it shall be lawful in such Case for the Sheriff to grant his Order on One Medical Certificate: And every such Lunatic shall be visited, as often as the Board shall regulate, by a Medical Person, who shall enter in a Book to be kept in such House the Date of each Visit, and the Condition of the mental and bodily Health of the Lunatic at each such Visit; and any Medical Person who shall make any such Entry without having visited the Patient within *Seven Days* of making such Entry, or who shall knowingly make any false Entry in such Book, shall be liable in a Penalty not exceeding *Ten Pounds* for each Offence: And it shall be in the Power of the Board to order such Inspection and Visitation of every such House from Time to Time as to them shall seem proper, and to lay down and enforce such Rules and Regulations for the Care and Treatment of the Lunatic as they may deem fit: And every Person detaining or aiding in detaining any such Lunatic, or any Person who on Inquiry is found to be a Lunatic, without the Order of the Sheriff or the Sanction of the Board, or after such Order or Sanction has been withdrawn, shall be liable in a Penalty not exceeding *Twenty Pounds*.

Board may inspect Lunatics in private Houses.

13. Section Forty-three of the first-recited Act is hereby repealed; and in lieu thereof, if any Occupier or Inmate of any private House shall keep or detain therein, without the Order of the Sheriff or the Sanction of the Board, any Person as a Lunatic, although not for Gain, beyond the Period of *One Year*, and the Malady is such as to require compulsory Confinement to the House, or Restraint or Coercion of any Kind, such Occupier or Inmate shall intimate the Case to the Board, and shall state the Reasons which render it desirable that such Lunatic should remain under private Care; and if the Board shall have reason to believe or suspect that any Lunatic, or any Person treated as a Lunatic, whose Case has thus been intimated to them, or of whose Case no such Intimation shall have been made, has been subjected to compulsory Confinement to the House, or to Restraint or Coercion of any Kind, at any Time beyond *a Year* after the Commencement of the Malady, or has been subjected to harsh and cruel Treatment, it shall be lawful for the Board, with Consent of One of Her Majesty's Principal Secretaries of State, or of Her Majesty's Advocate for Scotland, to authorize and empower any One or more of the Members thereof to visit and inspect such Lunatic or Person detained as a Lunatic, and to make such Inquiry respecting his Treatment, as to such Member or Members may seem fit; and if on such Inquiry it shall appear that such Person is a Lunatic, and has been so for a Space exceeding *a Year*, and that compulsory Confinement to the House, or Restraint or Coercion of any kind, has been resorted to, or that he has been subjected to harsh and cruel Treatment, and that the Circumstances are such as to render the Removal of such Lunatic to an Asylum necessary or expedient, it shall be lawful for the Board to apply to the Sheriff, under a Procedure similar to that followed in the Cases of dangerous Lunatics, and the Sheriff, on being satisfied that the Person is lunatic, and has been so for more than *a Year*, and is subjected to compulsory Confinement, or to Restraint or Coercion of any kind, or to harsh and cruel Treatment, shall issue his Order for the Transmission of the Lunatic to an Asylum, and his Detention therein until such Time as the Board shall sanction his Discharge: And the Sheriff shall grant Decree for the Expenses of the Inquiry and Procedure, and also for the Maintenance of the Lunatic in the Asylum, against the Parties legally liable for the Maintenance of such Lunatic.

Parochial Boards may provide Asylums.

14. With Consent of the District Board of any District which has provided District Accommodation, or without such Consent where no such Accommodation has been provided, it shall be lawful for the Parochial Board of any Parish or Parishes to assess themselves, under the Powers of the Eighth and Ninth of Victoria, Chapter Eighty-three, to erect an Ayslum for the Care and Treatment of all or any Portion of the Pauper Lunatics of such Parish or Parishes; but such Ayslum shall require the Licence of the Board in the same Manner as private Ayslums under the first-recited Act; and such Parish or Parishes shall have such Exemption from all future Assessments for the Erection of a District Asylum as to the Board shall seem fit.

As to Persons entering Asylums voluntarily.

15. It shall be lawful for the Superintendent of any Asylum, with the previous Assent in Writing of One of the Commissioners, which Assent shall not be given without written Application by the Patient, to entertain and keep in such Asylum, as a Boarder, any Person who is desirous of submitting himself to Treatment, but whose mental Condition is not such as to render it legal to grant Certificates of Insanity in his Case: Provided always, that every such Boarder shall be produced to the Commissioners at each of their Visits to such Asylum, that no such Boarder shall be detained for more than *Three Days* after having given Notice of his Intention or Desire to leave such Asylum, unless on Certificates of Insanity and an Order by the Sheriff being obtained, in which Case neither of the Certificates shall be granted by any Medical Person connected with the Asylum, or having any immediate or pecuniary Interest in it, and that Notices of Admission, Discharge, and Death with respect to all such Boarders shall be made to the Board in the same Manner as in the Cases of Lunatics.

Letters to and from Patients to be private.

16. Every Letter written by a Patient in any Asylum or House, and addressed to the Board or their Secretary, or the Commissioners in Lunacy, or any of them, shall, unless special Instructions to the contrary have been given by such Commissioners, or any of them, be forwarded to its Address unopened; and every Letter from the Board or their Secretary, or such Commissioner or Commissioners, to any such Patient, when marked "Private" on the Cover, shall be delivered to him unopened; and every Person who shall intercept or detain or shall open any such Letter without the Authority of the Patient by whom it is written or to whom it is addressed shall be liable in a Penalty not exceeding *Ten Pounds*.

As to Lunatics having Judicial Factors.

17. It shall be lawful for the Board to obtain from the Accountant of the Court of Session the Names of all Lunatics having Judicial Factors, and a Statement of their Funds, and of the Sums allowed for their Maintenance, and for the Board to make such Investigation, by Inspection or otherwise, as shall, in their Opinion, be necessary to ascertain in what Manner such Lunatics are treated and cared for; and in case of such Treatment and Care being deemed by them unsatisfactory, the Board may present a summary Application to the Court of Session, or in Time of Vacation to the Lord Ordinary officiating on the Bills, who may order such Inquiry and direct all such Steps to be taken for the improved Treatment and Care of such Lunatics as to the Court or the Lord Ordinary shall appear proper, and may direct the Expenses of such Application, and of the Procedure following thereon, to be paid by the Judicial Factor out of the Funds and Estate of such Lunatic under his Control, and it shall not be competent to bring under Review of the Court any Interlocutor pronounced by such Lord Ordinary upon any such Application with a view to Investigation and Inquiry merely, and which does not finally dispose thereof upon the Merits, but any Order pronounced by such Lord Ordinary upon the Merits may be reclaimed against by any Party having lawful Interest to reclaim to the Court, provided that a Reclaiming Note shall be lodged with an Inner House Clerk within Eight Days, after which the Order or Judgment of the Lord Ordinary, if not so reclaimed against, shall be final.

Powers of Board to extend to Lunatics detained under Sanction of Board.

18. The Powers granted to the Board by Section Nine of the first-recited Act shall be and are hereby extended to embrace Lunatics detained under the Sanction of the Board.

District Boards may provide superior Accommodation for Lunatics not Paupers.

19. It shall be lawful for District Boards, with Consent of the Board, to provide for Lunatics, not Pauper Lunatics, such superior Accommodation and Treatment in District Asylums, and to charge such higher Rates of Maintenance for such Lunatics, as they may deem proper; provided always, that, in the Opinion of the Board, the Interests of the Pauper Lunatics do not in anywise suffer through such Provision.

Liberation of dangerous Lunatics.

20. It shall be lawful for the Sheriff to authorize the Discharge of a dangerous Lunatic from any Asylum, on Certificates being granted by Two Medical Persons, approved of by the Procurator Fiscal, that such Lunatic may be discharged without Risk of Injury to the Public or the Lunatic.

Penalties for Infringe- of Rules made by Board.

21. It shall be lawful for the Board to enforce the Rules and Regulations which they shall make from Time to Time in relation to the Books or Minutes to be kept or made in Asylums or Houses, and the Returns of Entries therefrom to be made to the Board by the Superintendents of such Asylums or Houses, by imposing a Penalty for each Infringement or Violation thereof, not exceeding *Ten Pounds.*

As to Recovery of Penalties.

22. All Penalties imposed by or under Authority of this or any of the said recited Acts shall be recoverable by the Board, without Prejudice to their Right to enforce specific Implement of the Matters in respect of which such Penalties shall have been incurred; and such Penalties may be sued for by the Secretary of the Board before the Sheriff or any Court having Jurisdiction, and that either in any Application to enforce such specific Implement, or separately on summary Complaint; and such Penalties, when recovered, shall be applied as Fees received for Licences are directed to be applied by the first-recited Act.

Fees to be paid for Admission of Lunatics to District Asylums.

23. For every Order granted by the Sheriff for the Admission of any Lunatic or Pauper Lunatic into any District Asylum there shall be paid, for the general Purposes of the said first-recited Act, the Fees authorized by the Thirty-first Section of the said Act for the Admission of a Patient into a Public Asylum.

Commissioner not to be personally responsible.

24. The Exemption from Responsibility conferred on the Commissioners by Section Eight of the said first-recited Act shall extend to everything done bonâ fide in the Execution of this or any other of the said recited Acts, or in the Exercise of the Powers herein and therein contained.

SCHEDULE A.

I hereby certify, on Soul and Conscience, that I have, within a Period not exceeding One Month preceding the Date of this Certificate, carefully reviewed and considered the Cases of the Patients whose Names are subjoined, and I am of opinion that their continued Detention in the Asylum is necessary and proper for their own Welfare [*or* for the Public Safety, *as the Case may be*].

Superintendent *or* Medical Attendant.

Dated at this
Day of 186 .

Lunacy Acts (Scotland) Amendment.

A

BILL

To amend the Acts relating to Lunacy in Scotland, and to make further Provision for the Care and Treatment of Lunatics.

(Prepared and brought in by
Mr. Adam, The Lord Advocate, and
Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
23 March 1866.

[Bill 85.]

Under 2 oz.

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Amend the Acts relating to Lunacy in Scotland, and to make further Provision for the Care and Treatment of Lunatics.

WHEREAS an Act was passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled "An Act for the Regulation of the Care and "Treatment of Lunatics, and for the Provision, Maintenance, and "Regulation of Lunatic Asylums, in Scotland;" and another Act was passed in the Twenty-first and Twenty-second Year of the Reign of Her present Majesty, intituled "An Act to amend an "Act of the last Session for the Regulation of the Care and "Treatment of Lunatics, and for the Provision, Maintenance, and "Regulation of Lunatic Asylums, in Scotland;" and another Act was passed in the Twenty-fifth and Twenty-sixth Year of the Reign of Her present Majesty, intituled "An Act to make farther "Provision respecting Lunacy in Scotland;" and another Act was passed in the Twenty-seventh and Twenty-eighth Year of the Reign of Her present Majesty, intituled "An Act to continue the "Deputy Commissioners in Lunacy in Scotland, and to make "farther Provision for the Salaries of the Deputy Commissioners, "Secretary, and Clerk of the General Board of Lunacy in Scotland:"

20 & 21 Vict. c. 71.

21 & 22 Vict. c. 89.

25 & 26 Vict. c. 54.

27 & 28 Vict. c. 59.

land:" And whereas it is expedient that the said Deputy Commissioners should be continued, that certain of the Provisions of the said Acts should be amended, and that farther Provision should be made for the Regulation of the Care and Treatment of Lunatics, and for the Regulation of Lunatic Asylums, in Scotland:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Lunacy (Scotland) Act, 1866."

Construction of Act.

2. This Act shall be construed with the recited Acts as One Act, and this Act and the said recited Acts may be recited together as the Lunacy (Scotland) Acts.

Continuance of Deputy Commissioners.

3. The Provisions of the Twentieth and Twenty-first Victoria, Chapter Seventy-one, first recited, and of the Twenty-seventh and Twenty-eighth Victoria, Chapter Fifty-nine, last recited, in regard to the Appointment and Salary of Deputy Commissioners, shall be and are hereby continued until Parliament shall otherwise determine.

Medical Officers of Asylums may not grant Certificates.

4. It shall not be lawful for the Medical Superintendent, ordinary Medical Attendant, or Assistant Medical Officer of any Asylum, to grant a Certificate of Insanity for the Reception of any Lunatic, not a Pauper Lunatic, into such Asylum, except the Certificate of Emergency authorized by Section Fourteen of the third-recited Act.

Orders and Medical Certificates may be amended.

5. Section Thirty-six of the first-recited Act is hereby repealed; and in lieu thereof be it enacted, That if after the Reception of any Lunatic into any Asylum or House it appears that any Order or Medical Certificate upon which he was received is in any respect incorrect or defective, such Order or Medical Certificate may be amended by the Person who has granted the same at any Time within Twenty-one Days after the Reception of such Lunatic: Provided nevertheless, that no such Amendment shall have any Force or Effect unless the same shall receive the Sanction of the Board, and, failing such Amendment, it shall be lawful for the Board to report such Failure to the Sheriff, who shall, if satisfied that the original Order or Medical Certificates are in any respect incorrect or defective, and of the Failure to amend them, recal such original Order.

6. In

Orders to remain in force although Patient absent from Asylum.

6. In every Case in which any Lunatic or any Person who has entered an Asylum for Treatment under Authority of this Act is temporarily absent from the Asylum or House for his Reception into which the Order was given shall escape from such Asylum or House, or from the Care of the Officers thereof, such Order shall remain in force in the same Manner as if such Lunatic or Person as aforesaid were not absent or had not escaped: Provided always, that such Lunatic or Person as aforesaid shall return or be brought back to such Asylum or House within a Period not exceeding Twenty-eight Days from the Day on which he left or escaped from such Asylum or House, or within a Period of Three Months where such Lunatic or Person as aforesaid is accompanied by or remains under the Care of the Officers or Attendants of such Asylum or House.

Determina- of Orders.

7. The Powers conferred by the Sheriff's Order for the Reception and Detention of any Lunatic in any Asylum or House shall cease and determine with the Notice of Discharge of such Lunatic given by the Superintendent of such Asylum or House to the Board; and in no Case shall the Sheriff's Order remain in force longer than the First Day of January first occurring after the Expiry of Three Years from the Date on which it was granted, or than the First Day of January in each succeeding Year, unless the Superintendent or Medical Attendant of the Asylum or House in which the Lunatic is detained shall, on each of the said First Days of January, or within Fourteen clear Days immediately preceding, grant and transmit to the Board a Certificate, on Soul and Conscience, according to the Form of Schedule A. hereunto annexed, that the Detention of the Lunatic is necessary and proper, either for his own Welfare or the Safety of the Public.

Discharge on Probation of Pauper Lunatics.

8. Every Pauper Lunatic who is discharged on Probation from any Asylum or House shall remain subject to Inspection by the Commissioners during the Period of Probation; and it shall not be lawful for the Parochial Board to take any such Pauper Lunatic off the Poor's Roll, or to alter the Conditions on which probationary Discharge was granted, without the Sanction of the Board, during the Period of Probation; and every Inspector of the Poor who shall infringe these Provisions shall be liable in a Penalty not exceeding Ten Pounds.

Discharge of Pauper Lunatics by Authority of Parochial Board.

9. It shall be lawful for any Parochial Board, by a Minute at a duly constituted Meeting, to direct that any Pauper Lunatic (not being a Lunatic committed as a dangerous Lunatic under the Fifteenth Section of the third-recited Act) with whose Maintenance it is chargeable, and who is detained in any Asylum or House, shall be discharged or removed therefrom; and if a Copy of such Minute, certified to be a true Copy by the Chairman for the Time of such Parochial Board, be produced to and left with the Superintendent of such Asylum, he shall, within Seven Days from the Production of such Minute, discharge such Lunatic, or cause or suffer such Lunatic to be discharged: Provided always, that, on the written Representation of such Superintendent that such Lunatic is dangerous to himself or the Public, or in any other Way not a fit Person to be discharged, it shall be lawful for the Board to prohibit the Discharge of any such Lunatic; and any Inspector of the Poor removing any Pauper Lunatic from an Asylum or House against the written Representation of the Superintendent of such Asylum or House, without the Sanction of the Board, shall be liable in a Penalty not exceeding Ten Pounds.

Inspector of Poor to intimate Removal of Pauper Lunatics.

10. Whenever any Pauper Lunatic has been removed from an Asylum or House by a Minute of the Parochial Board, the Inspector of the Poor shall, within Fourteen Days, intimate to the Board the Date of Removal, the Situation of the House to which he has been removed, the Christian Name and Surname of the Occupier thereof, and the Amount and Nature of the Parochial Allowances made to such Pauper Lunatic, and that under a Penalty of Ten Pounds; and it shall not be lawful for the said Parochial Board to remove such Lunatic to any other House, or to make any Alteration in the Nature and Amount of the Parochial Allowances, without the same being communicated within Fourteen Days, by the Inspector of the Poor, to the Board, under a similar Penalty; and it shall be lawful for the Board, at any Time whenever they see fit, to order the Lunatic to be replaced in an Asylum, and it shall not be lawful for the Relatives of any Pauper Lunatic for whose Removal to an Asylum the Board have issued an Order to take him off the Poor's Roll without their Sanction; and every Inspector of the Poor who shall delay for more than Fourteen Days sending any Pauper Lunatic to an Asylum, after receiving the Order of the Board to do so, shall be liable in a Penalty not exceeding Ten Pounds.

Pauper Lunatics may be removed from Poor's Roll and intrusted to private Parties.

11. It shall be lawful for any Parochial Board, by a Minute at a duly constituted Meeting, to remove from the Poors' Roll any Pauper Lunatic in any Asylum or House for whose Maintenance it is responsible, and to intrust the Disposal of such Lunatic to any Party who shall undertake to provide, in a Manner satisfactory to the Parochial Board, for his Care and Treatment; and on the Demand of such Party, and the Production and Delivery of a Copy of such Minute, certified to be a true Copy by the Chairman for the Time of such Parochial Board, the Superintendent of such Asylum or House shall permit the Removal of such Lunatic: Provided always, that in every Case in which such Superintendent is of opinion that such Removal will be injurious to such Lunatic, or a Risk to the Public, it shall be lawful for such Superintendent to detain such Lunatic for a Period not exceeding Fourteen Days from the Production of such certified Copy of such Minute, and to report the Case to the Board, and on the Report of such Superintendent, or on any Grounds which the Board may deem satisfactory, it shall be lawful for the Board to authorize the continued Detention of such Lunatic in the Asylum or House, and the Parochial Board shall continue to be responsible to the Asylum or House for his Maintenance.

As to Lunatics received into any private House.

12. Section Forty-one of the first-recited Act is hereby repealed; and in lieu thereof, no Person shall receive or keep any Person as a Lunatic for Gain, without the Order of the Sheriff or the Sanction of the Board; and any Person who shall receive into his House any such Person, or any Person alleged to be a Lunatic, shall, within Fourteen clear Days thereafter, make Application for such Order or Sanction; provided always, that when the Lunatic is a Pauper Lunatic such Application shall be made by the Inspector of the Poor, and it shall be lawful in such Case for the Sheriff to grant his Order on One Medical Certificate: And every such Lunatic shall be visited, as often as the Board shall regulate, by a Medical Person, who shall enter in a Book to be kept in such House the Date of each Visit, and the Condition of the mental and bodily Health of the Lunatic at each such Visit; and any Medical Person who shall make any such Entry without having visited the Patient within Seven Days of making such Entry, or who shall knowingly make any false Entry in such Book, shall be liable in a Penalty not exceeding Ten Pounds for each Offence: And it shall be in the Power of the Board to order such Inspection and Visitation of every such House from Time to Time as to them shall seem proper: And every Person detaining or aiding in detaining any such Lunatic, or any Person who on Inquiry is found to be a Lunatic, without the Order of the Sheriff or the Sanction of the Board, or after such Order or Sanction has been withdrawn, shall be liable in a Penalty not exceeding Twenty Pounds: Provided that this Enactment shall not apply to any Case where the Person so received and kept has been sent to such House for the Purpose of temporary Residence only not exceeding Six Months and under the Certificate of a Medical Person, which Certificate shall be in the Form of Schedule G. to the first-recited Act annexed.

Board may inspect Lunatics in private Houses.

13. Section Forty-three of the first-recited Act is hereby repealed; and in lieu thereof, if any Occupier or Inmate of any private House shall keep or detain therein, without the Order of the Sheriff or the Sanction of the Board, any Person as a Lunatic, although not for Gain, beyond the Period of One Year, and the Malady is such as to require compulsory Confinement to the House, or Restraint or Coercion of any Kind, such Occupier or Inmate shall intimate the Case to the Board, and shall state the Reasons which render it desirable that such Lunatic should remain under private Care; and if the Board shall have reason to believe or suspect that any Lunatic, or any Person treated as a Lunatic, whose Case has thus been intimated to them, or of whose Case no such Intimation shall have been made, has been subjected to compulsory Confinement to the House, or to Restraint or Coercion of any Kind, at any Time beyond a Year after the Commencement of the Malady, or has been subjected to harsh and cruel Treatment, it shall be lawful for the Board, with Consent of One of Her Majesty's Principal Secretaries of State, or of Her Majesty's Advocate for Scotland, to authorize and empower any One or more of the Members thereof to visit and inspect such Lunatic or Person detained as a Lunatic, and to make such Inquiry respecting his Treatment, as to such Member or Members may seem fit; and if on such Inquiry it shall appear that such Person is a Lunatic, and has been so for a Space exceeding a Year, and that compulsory Confinement to the House, or Restraint or Coercion of any kind, has been resorted to, or that he has been subjected to harsh and cruel Treatment, and that the Circumstances are such as to render the Removal of such Lunatic to an Asylum necessary or expedient, it shall be lawful for the Board to apply to the Sheriff, under a Procedure similar to that followed in the Cases of dangerous Lunatics, and the Sheriff, on being satisfied that the Person is lunatic, and has been so for more than a Year, and is subjected to compulsory Confinement, or to Restraint or Coercion of any kind, or to harsh and cruel Treatment, shall issue his Order for the Transmission of the Lunatic to an Asylum, and his Detention therein until such Time as the Board shall sanction his Discharge: And the Sheriff shall grant Decree for the Expenses of the Inquiry and Procedure, and also for the Maintenance of the Lunatic in the Asylum, against the Parties legally liable for the Maintenance of such Lunatic.

As to Persons entering Asylums voluntarily.

14. The Sixth Section of the third-recited Act is hereby repealed; and instead thereof it is enacted as follows: It shall be lawful for the Superintendent of any Asylum, with the previous Assent in Writing of One of the Commissioners, which Assent shall not be given without written Application by the Patient, to entertain and keep in such Asylum, as a Boarder, any Person who is desirous of submitting himself to Treatment, but whose mental Condition is not such as to render it legal to grant Certificates of Insanity in his Case: Provided always, that every such Boarder shall be produced to the Commissioners at each of their Visits to such Asylum, that no such Boarder shall be detained for more than Three Days after having given Notice of his Intention or Desire to leave such Asylum, unless on Certificates of Insanity and an Order by the Sheriff being obtained, in which Case neither of the Certificates shall be granted by any Medical Person connected with the Asylum, or having any immediate or pecuniary Interest in it, and that Notices of Admission, Discharge, and Death with respect to all such Boarders shall be made to the Board in the same Manner as in the Cases of Lunatics.

Letters to and from Patients to be private.

15. Every Letter written by a Patient in any Asylum or House, and addressed to the Board or their Secretary, or the Commissioners in Lunacy, or any of them, shall, unless special Instructions to the contrary have been given by such Commissioners, or any of them, be forwarded to its Address unopened; and every Letter from the Board or their Secretary, or such Commissioner or Commissioners, to any such Patient, when marked "Private" on the Cover, shall be delivered to him unopened; and every Person who shall intercept or detain or shall open any such Letter without the Authority of the Patient by whom it is written or to whom it is addressed shall be liable in a Penalty not exceeding Ten Pounds: Provided that the Board shall transmit a Copy of such Letter to the Superintendent of such Asylum or House if it shall appear to the Board that the Contents of the Letter are of such a Nature that it is of importance that the Superintendent should be made acquainted therewith.

As to Lunatics having Judicial Factors.

16. It shall be lawful for the Board to obtain from the Accountant of the Court of Session the Names of all Lunatics having Judicial Factors, and a Statement of their Funds, and of the Sums allowed for their Maintenance, and for the Board to make such Investigation, by Inspection or otherwise, as shall, in their Opinion, be necessary to ascertain in what Manner such Lunatics are treated and cared for; and in case of such Treatment and Care being deemed by them unsatisfactory, the Board may present a summary Application to the Court of Session, or in Time of Vacation to the Lord Ordinary officiating on the Bills, who may order such Inquiry and direct all such Steps to be taken for the improved Treatment and Care of such Lunatics as to the Court or the Lord Ordinary shall appear proper, and may direct the Expenses of such Application, and of the Procedure following thereon, to be paid by the Judicial Factor out of the Funds and Estate of such Lunatic under his Control, and it shall not be competent to bring under Review of the Court any Interlocutor pronounced by such Lord Ordinary upon any such Application with a view to Investigation and Inquiry merely, and which does not finally dispose thereof upon the Merits, but any Order pronounced by such Lord Ordinary upon the Merits may be reclaimed against by any Party having lawful Interest to reclaim to the Court, provided that a Reclaiming Note shall be lodged with an Inner House Clerk within Eight Days, after which the Order or Judgment of the Lord Ordinary, if not so reclaimed against, shall be final.

Powers of Board to extend to Lunatics detained under Sanction of Board.

17. The Powers granted to the Board by Section Nine of the first-recited Act shall be and are hereby extended to embrace Lunatics detained under the Sanction of the Board.

District Boards may provide superior Accommodation for Lunatics not Paupers.

18. It shall be lawful for District Boards, with Consent of the Board, to provide for Lunatics, not Pauper Lunatics, such superior Accommodation and Treatment in District Asylums, and to charge such higher Rates of Maintenance, not exceeding Fourteen Shillings per Week, for such Lunatics, as they may deem proper; provided always, that, in the Opinion of the Board, the Interests of the Pauper Lunatics do not in anywise suffer through such Provision.

Liberation of Lunatics committed as dangerous Lunatics.

19. It shall be lawful for the Sheriff to authorize the Discharge of a Lunatic committed as a dangerous Lunatic from any Asylum, on Certificates being granted by Two Medical Persons, approved of by the Procurator Fiscal, that such Lunatic may be discharged without Risk of Injury to the Public or the Lunatic.

Penalties for Infringe- of Rules made by Board.

20. It shall be lawful for the Board to enforce the Rules and Regulations which they shall make from Time to Time in relation to the Books or Minutes to be kept or made in Asylums or Houses, and the Returns of Entries therefrom to be made to the Board by the Superintendents of such Asylums or Houses, by imposing a Penalty for each Infringement or Violation thereof, not exceeding Ten Pounds.

As to Recovery of Penalties.

21. All Penalties imposed by or under Authority of this or any of the said recited Acts shall be recoverable by the Board, without Prejudice to their Right to enforce specific Implement of the Matters in respect of which such Penalties shall have been incurred; and such Penalties may be sued for by the Secretary of the Board before the Sheriff or any Court having Jurisdiction, and that either in any Application to enforce such specific Implement, or separately on summary Complaint; and such Penalties, when recovered, shall be applied as Fees received for Licences are directed to be applied by the first-recited Act.

Fees to be paid for Admission of Lunatics to District Asylums.

22. For every Order granted by the Sheriff for the Admission of any Lunatic or Pauper Lunatic into any District Asylum there shall be paid, for the general Purposes of the said first-recited Act, the Fees authorized by the Thirty-first Section of the said Act for the Admission of a Patient into a Public Asylum.

Commissioner not to be personally responsible.

23. The Exemption from Responsibility conferred on the Commissioners by Section Eight of the said first-recited Act shall extend to everything done bonâ fide in the Execution of this or any other of the said recited Acts, or in the Exercise of the Powers herein and therein contained.

Actions against Medical Persons in respect to Certificates under Lunacy Acts to be tried by the Lord Ordinary without a Jury.

13 & 14 Vict. c. 36.

24. In any Action at Law which may be raised against any Medical Person in respect of any Certificate granted by him under the Provisions of this Act, or of any of the recited Acts, the Issue or Issues, after being adjusted, shall be tried, and the Amount of Damages (if any) assessed by the Lord Ordinary before whom such Action depends, without a Jury; and the Proceedings at and consequent on the Trial of such Issue or Issues shall be regulated by the Provisions of the Act, &c., intituled "An Act to facilitate "Procedure in the Court of Session in Scotland," with respect to the Proceedings at and consequent on the Trial by the Lord Ordinary without a Jury of such Issues as may under the Provisions of that Act be so tried.

SCHEDULE A.

I hereby certify, on Soul and Conscience, that I have, within a Period not exceeding One Month preceding the Date of this Certificate, carefully reviewed and considered the Cases of the Patients whose Names are subjoined, and I am of opinion that their continued Detention in the Asylum is necessary and proper for their own Welfare [*or* for the Public Safety, *as the Case may be*].

Superintendent *or* Medical Attendant.

Dated at this
Day of 186 .

Lunacy Acts (Scotland) Amendment.

A

BILL

[As amended in Committee]

To amend the Acts relating to Lunacy in Scotland, and to make further Provision for the Care and Treatment of Lunatics.

(Prepared and brought in by Mr. Adam, The Lord Advocate, and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
30 *April* 1866.

[Bill 127.]

Under 2 oz.

A

BILL

[AS AMENDED IN COMMITTEE AND ON
RE-COMMITMENT]

TO

Amend the Acts relating to Lunacy in Scotland, and to make further Provision for the Care and Treatment of Lunatics.

WHEREAS an Act was passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled "An Act for the Regulation of the Care and "Treatment of Lunatics, and for the Provision, Maintenance, and "Regulation of Lunatic Asylums, in Scotland;" and another Act was passed in the Twenty-first and Twenty-second Year of the Reign of Her present Majesty, intituled "An Act to amend an "Act of the last Session for the Regulation of the Care and "Treatment of Lunatics, and for the Provision, Maintenance, and "Regulation of Lunatic Asylums, in Scotland;" and another Act was passed in the Twenty-fifth and Twenty-sixth Year of the Reign of Her present Majesty, intituled "An Act to make farther "Provision respecting Lunacy in Scotland;" and another Act was passed in the Twenty-seventh and Twenty-eighth Year of the Reign of Her present Majesty, intituled "An Act to continue the "Deputy Commissioners in Lunacy in Scotland, and to make "farther Provision for the Salaries of the Deputy Commissioners, "Secretary, and Clerk of the General Board of Lunacy in Scot-

20 & 21 Vict. c. 71.

21 & 22 Vict. c. 89.

25 & 26 Vict. c. 54.

27 & 28 Vict. c. 59.

"land:" And whereas it is expedient that the said Deputy Commissioners should be continued, that certain of the Provisions of the said Acts should be amended, and that farther Provision should be made for the Regulation of the Care and Treatment of Lunatics, and for the Regulation of Lunatic Asylums, in Scotland:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Lunacy (Scotland) Act, 1866."

Construction of Act.

2. This Act shall be construed with the recited Acts as One Act, and this Act and the said recited Acts may be recited together as the Lunacy (Scotland) Acts.

Continuance of Deputy Commissioners.

3. The Provisions of the Twentieth and Twenty-first Victoria, Chapter Seventy-one, first recited, and of the Twenty-seventh and Twenty-eighth Victoria, Chapter Fifty-nine, last recited, in regard to the Appointment and Salary of Deputy Commissioners, shall be and are hereby continued until Parliament shall otherwise determine.

Medical Officers of Asylums may not grant Certificates.

4. It shall not be lawful for the Medical Superintendent, ordinary Medical Attendant, or Assistant Medical Officer of any Asylum, to grant a Certificate of Insanity for the Reception of any Lunatic, not a Pauper Lunatic, into such Asylum, except the Certificate of Emergency authorized by Section Fourteen of the third-recited Act.

Orders and Medical Certificates may be amended.

5. Section Thirty-six of the first-recited Act is hereby repealed; and in lieu thereof be it enacted, That if after the Reception of any Lunatic into any Asylum or House it appears that any Order or Medical Certificate upon which he was received is in any respect incorrect or defective, such Order or Medical Certificate may be amended by the Person who has granted the same at any Time within Twenty-one Days after the Reception of such Lunatic: Provided nevertheless, that no such Amendment shall have any Force or Effect unless the same shall receive the Sanction of the Board, and, failing such Amendment, it shall be lawful for the Board to report such Failure to the Sheriff, who shall, if satisfied that the original Order or Medical Certificates are in any respect incorrect or defective, and of the Failure to amend them, recal such original Order.

6. In every Case in which any Lunatic or any Person who has entered an Asylum for Treatment under Authority of this Act is temporarily absent from the Asylum or House for his Reception into which the Order was given shall escape from such Asylum or House, or from the Care of the Officers thereof, such Order shall remain in force in the same Manner as if such Lunatic or Person as aforesaid were not absent or had not escaped: Provided always, that such Lunatic or Person as aforesaid shall return or be brought back to such Asylum or House within a Period not exceeding Twenty-eight Days from the Day on which he left or escaped from such Asylum or House, or within a Period of Three Months where such Lunatic or Person as aforesaid is accompanied by or remains under the Care of the Officers or Attendants of such Asylum or House.

Orders to remain in force although Patient absent from Asylum.

7. The Powers conferred by the Sheriff's Order for the Reception and Detention of any Lunatic in any Asylum or House shall cease and determine with the Notice of Discharge of such Lunatic given by the Superintendent of such Asylum or House to the Board; and in no Case shall the Sheriff's Order remain in force longer than the First Day of January first occurring after the Expiry of Three Years from the Date on which it was granted, or than the First Day of January in each succeeding Year, unless the Superintendent or Medical Attendant of the Asylum or House in which the Lunatic is detained shall, on each of the said First Days of January, or within Fourteen clear Days immediately preceding, grant and transmit to the Board a Certificate, on Soul and Conscience, according to the Form of Schedule A. hereunto annexed, that the Detention of the Lunatic is necessary and proper, either for his own Welfare or the Safety of the Public.

Determination of Orders.

8. Every Pauper Lunatic who is discharged on Probation from any Asylum or House shall remain subject to Inspection by the Commissioners during the Period of Probation; and it shall not be lawful for the Parochial Board to take any such Pauper Lunatic off the Poor's Roll, or to alter the Conditions on which probationary Discharge was granted, without the Sanction of the Board, during the Period of Probation; and every Inspector of the Poor who shall infringe these Provisions shall be liable in a Penalty not exceeding Ten Pounds.

Discharge on Probation of Pauper Lunatics.

9. It shall be lawful for any Parochial Board, by a Minute at a duly constituted Meeting, to direct that any Pauper Lunatic (not being a Lunatic committed as a dangerous Lunatic under the Fifteenth Section of the third-recited Act) with whose Maintenance it is chargeable, and who is detained in any Asylum or House, shall

Discharge of Pauper Lunatics by Authority of Parochial Board.

be discharged or removed therefrom; and if a Copy of such Minute, certified to be a true Copy by the Chairman for the Time of such Parochial Board, be produced to and left with the Superintendent of such Asylum, he shall, within Seven Days from the Production of such Minute, discharge such Lunatic, or cause or suffer such Lunatic to be discharged: Provided always, that, on the written Representation of such Superintendent that such Lunatic is dangerous to himself or the Public, or in any other Way not a fit Person to be discharged, it shall be lawful for the Board, after making such Investigation as they shall think expedient, to prohibit the Discharge of any such Lunatic; and any Inspector of the Poor removing any Pauper Lunatic from an Asylum or House against the written Representation of the Superintendent of such Asylum or House, without the Sanction of the Board, shall be liable in a Penalty not exceeding Ten Pounds.

Inspector of Poor to intimate Removal of Pauper Lunatics.

10. Whenever any Pauper Lunatic has been removed from an Asylum or House by a Minute of the Parochial Board, the Inspector of the Poor shall, within Fourteen Days, intimate to the Board the Date of Removal, the Situation of the House to which he has been removed, the Christian Name and Surname of the Occupier thereof, and the Amount and Nature of the Parochial Allowances made to such Pauper Lunatic, and that under a Penalty of Ten Pounds; and it shall not be lawful for the said Parochial Board to remove such Lunatic to any other House, or to make any Alteration in the Nature and Amount of the Parochial Allowances, without the same being communicated within Fourteen Days, by the Inspector of the Poor, to the Board, under a similar Penalty; and it shall be lawful for the Board, at any Time whenever they see fit, to order the Lunatic to be replaced in an Asylum, and it shall not be lawful for the Relatives of any Pauper Lunatic for whose Removal to an Asylum the Board have issued an Order to take him off the Poor's Roll without their Sanction; and every Inspector of the Poor who shall delay for more than Fourteen Days sending any Pauper Lunatic to an Asylum, after receiving the Order of the Board to do so, shall be liable in a Penalty not exceeding Ten Pounds.

Pauper Lunatics may be removed from Poor's Roll and intrusted to private Parties.

11. It shall be lawful for any Parochial Board, by a Minute at a duly constituted Meeting, to remove from the Poors' Roll any Pauper Lunatic in any Asylum or House for whose Maintenance it is responsible, and to intrust the Disposal of such Lunatic to any Party who shall undertake to provide, in a Manner satisfactory to the Parochial Board, for his Care and Treatment; and on the Demand of such Party, and the Production and Delivery of a Copy of such Minute, certified to be a true Copy by the Chairman for the Time of such Parochial Board, the Superintendent of such Asylum or House shall permit the Removal of such Lunatic: Provided always, that in every Case in which such Superintendent is of opinion that such Removal will be injurious to such Lunatic, or a Risk to the Public, it shall be lawful for such Superintendent to detain such Lunatic for a Period not exceeding Fourteen Days from the Production of such certified Copy of such Minute, and to report the Case to the Board, and on the Report of such Superintendent, or on any Grounds which the Board may deem satisfactory, it shall be lawful for the Board to authorize the continued Detention of such Lunatic in the Asylum or House, and the Parochial Board shall continue to be responsible to the Asylum or House for his Maintenance.

CLAUSE A. Provision as to dangerous Lunatics.

12. If at the Time when the Discharge of a Lunatic, not being a Pauper, is desired, the Superintendent of the Asylum in which he is confined shall be of opinion that he is a dangerous Lunatic, and that his Liberation would be attended with Danger to himself or to the Public, such Superintendent shall forthwith communicate the Fact to the Procurator Fiscal of the District, and shall in the meantime detain such Lunatic in the Asylum; and it shall be the Duty of the Procurator Fiscal, if he shall see Cause, to take such Proceedings with respect to such Lunatic as are prescribed by the third-recited Act with respect to dangerous Lunatics; and if the Procurator Fiscal shall not see Cause to take such Proceedings, he shall signify such his Determination to the Superintendent of the Asylum, and the Lunatic shall thereupon be discharged, provided he is otherwise entitled to Discharge.

As to Lunatics received into any private House.

13. Section Forty-one of the first-recited Act is hereby repealed; and in lieu thereof, no Person shall receive or keep any Person as a Lunatic for Gain, without the Order of the Sheriff or the Sanction of the Board; and any Person who shall receive into or keep in his House any such Person, or any Person alleged to be a Lunatic, shall, within Fourteen clear Days thereafter, make Application for such Order or Sanction; provided always, that when the Lunatic is a Pauper Lunatic such Application shall be made by the Inspector of the Poor, and it shall be lawful in such Case for the Sheriff to grant his Order on One Medical Certificate: And every such Lunatic shall be visited, as often as the Board shall regulate, by a Medical Person, who shall enter in a Book to be kept in such House the Date of each Visit, and the Condition of the mental and bodily Health of the Lunatic at each such Visit; and any Medical Person who shall make any such Entry without having visited the Patient within Seven Days of making such Entry, or who shall knowingly make any false Entry in such Book, shall be liable in a Penalty not exceeding Ten Pounds for each Offence: And it shall be in the Power of the Board to order such Inspection and Visitation of every such House from Time to Time as to them shall seem proper: And every Person detaining or aiding in detaining any such Lunatic, or any Person who on Inquiry is found to be a Lunatic, without the Order of the Sheriff or the Sanction of the Board, or after such Order or Sanction has been withdrawn, shall be liable in a Penalty not exceeding Twenty Pounds: Provided that the Enactments of this Section shall not apply to any Case where the Person so received and kept has been sent to such House for the Purpose of temporary Residence only not exceeding Six Months and under the Certificate of a Medical Person, which Certificate shall be in the Form of Schedule G. to the first-recited Act annexed.

Board may inspect Lunatics in private Houses.

14. Section Forty-three of the first-recited Act is hereby repealed; and in lieu thereof, if any Occupier or Inmate of any private House shall keep or detain therein, without the Order of the Sheriff or the Sanction of the Board, any Person as a Lunatic, although not for Gain, beyond the Period of One Year, and the Malady is such as to require compulsory Confinement to the House, or Restraint or Coercion of any Kind, such Occupier or Inmate shall intimate the Case to the Board, and shall state the Reasons which render it desirable that such Lunatic should remain under private Care; and if the Board shall have reason to believe or suspect that any Lunatic, or any Person treated as a Lunatic, whose Case has thus been intimated to them, or of whose Case no such Intimation shall have been made, has been subjected to compulsory Confinement to the House, or to Restraint or Coercion of any Kind, at any Time beyond a Year after the Commencement of the Malady, or has been subjected to harsh and cruel Treatment, it shall be lawful for the Board, with Consent of One of Her Majesty's Principal Secretaries of State, or of Her Majesty's Advocate for Scotland, to authorize and empower any One or more of the Members thereof to visit and inspect such Lunatic or Person detained as a Lunatic, and to make such Inquiry respecting his Treatment, as to such Member or Members may seem fit; and if on such Inquiry it shall appear that such Person is a Lunatic, and has been so for a Space exceeding a Year, and that compulsory Confinement to the House, or Restraint or Coercion of any kind, has been resorted to, or that he has been subjected to harsh and cruel Treatment, and that the Circumstances are such as to render the Removal of such Lunatic to an Asylum necessary or expedient, it shall be lawful for the Board to apply to the Sheriff, under a Procedure similar to that followed in the Cases of dangerous Lunatics, and the Sheriff, on being satisfied that the Person is lunatic, and has been so for more than a Year, and is subjected to compulsory Confinement, or to Restraint or Coercion of any kind, or to harsh and cruel Treatment, shall issue his Order for the Transmission of the Lunatic to an Asylum, and his Detention therein until such Time as the Board shall sanction his Discharge: And the Sheriff shall grant Decree for the Expenses of the Inquiry and Procedure, and also for the Maintenance of the Lunatic in the Asylum, against the Parties legally liable for the Maintenance of such Lunatic.

As to Persons entering Asylums voluntarily.

15. The Sixth Section of the third-recited Act is hereby repealed; and instead thereof it is enacted as follows: It shall be lawful for the Superintendent of any Asylum, with the previous Assent in Writing of One of the Commissioners, which Assent shall not be given without written Application by the Patient, to entertain and keep in such Asylum, as a Boarder, any Person who is desirous of submitting himself to Treatment, but whose mental Condition is not such as to render it legal to grant Certificates of Insanity in his Case: Provided always, that every such Boarder shall be produced to the Commissioners at each of their Visits to such Asylum, that no such Boarder shall be detained for more than Three Days after having given Notice of his Intention or Desire to leave such Asylum, unless on Certificates of Insanity and an Order by the Sheriff being obtained, in which Case neither of the Certificates shall be granted by any Medical Person connected with the Asylum, or having any immediate or pecuniary Interest in it, and that Notices of Admission, Discharge, and Death with respect to all such Boarders shall be made to the Board in the same Manner as in the Cases of Lunatics.

Letters to and from Patients to be private.

16. Every Letter written by a Patient in any Asylum or House, and addressed to the Board or their Secretary, or the Commissioners in Lunacy, or any of them, shall, unless special Instructions to the contrary have been given by such Commissioners, or any of them, be forwarded to its Address unopened; and every Letter from the Board or their Secretary, or such Commissioner or Commissioners, to any such Patient, when marked "Private" on the Cover, shall be delivered to him unopened; and every Person who shall intercept or detain or shall open any such Letter without the Authority of the Patient by whom it is written or to whom it is addressed shall be liable in a Penalty not exceeding Ten Pounds: Provided that the Board shall transmit a Copy of such Letter to the Superintendent of such Asylum or House if it shall appear to the Board that the Contents of the Letter are of such a Nature that it is of importance that the Superintendent should be made acquainted therewith.

As to Lunatics having Judicial Factors.

17. It shall be lawful for the Board to obtain from the Accountant of the Court of Session the Names of all Lunatics having Judicial Factors, and a Statement of their Funds, and of the Sums allowed for their Maintenance, and for the Board to make such Investigation, by Inspection or otherwise, as shall, in their Opinion, be necessary to ascertain in what Manner such Lunatics are treated and cared for; and in case of such Treatment and Care being deemed by them unsatisfactory, the Board may present a summary Application to the Court of Session, or in Time of Vacation to the Lord Ordinary officiating on the Bills, who may order such Inquiry and direct all such Steps to be taken for the improved Treatment and Care of such Lunatics as to the Court or the Lord Ordinary shall appear proper, and may direct the Expenses of such Application, and of the Procedure following thereon, to be paid by the Judicial Factor out of the Funds and Estate of such Lunatic under his Control, and it shall not be competent to bring under Review of the Court any Interlocutor pronounced by such Lord Ordinary upon any such Application with a view to Investigation and Inquiry merely, and which does not finally dispose thereof upon the Merits, but any Order pronounced by such Lord Ordinary upon the Merits may be reclaimed against by any Party having lawful Interest to reclaim to the Court, provided that a Reclaiming Note shall be lodged with an Inner House Clerk within Eight Days, after which the Order or Judgment of the Lord Ordinary, if not so reclaimed against, shall be final.

Powers of Board to extend to Lunatics detained under Sanction of Board.

18. The Powers granted to the Board by Section Nine of the first-recited Act shall be and are hereby extended to embrace Lunatics detained under the Sanction of the Board.

Liberation of Lunatics committed as dangerous Lunatics.

19. It shall be lawful for the Sheriff to authorize the Discharge of a Lunatic committed as a dangerous Lunatic from any Asylum, on Certificates being granted by Two Medical Persons, approved of by the Procurator Fiscal, that such Lunatic may be discharged without Risk of Injury to the Public or the Lunatic.

Penalties for Infringement of Rules made by Board.

20. It shall be lawful for the Board to enforce the Rules and Regulations which they shall make from Time to Time in relation to the Books or Minutes to be kept or made in Asylums or Houses, and the Returns of Entries therefrom to be made to the Board by the Superintendents of such Asylums or Houses, by imposing a Penalty for each Infringement or Violation thereof, not exceeding Ten Pounds.

21. All Penalties imposed by or under Authority of this or any of the said recited Acts shall be recoverable by the Board, without Prejudice to their Right to enforce specific Implement of the Matters in respect of which such Penalties shall have been incurred; and such Penalties may be sued for by the Secretary of the Board before the Sheriff or any Court having Jurisdiction, and that either in any Application to enforce such specific Implement, or separately on summary Complaint; and such Penalties, when recovered, shall be applied as Fees received for Licences are directed to be applied by the first-recited Act.

As to Recovery of Penalties.

22. For every Order granted by the Sheriff for the Admission of any Lunatic or Pauper Lunatic into any District Asylum there shall be paid, for the general Purposes of the said first-recited Act, the Fees authorized by the Thirty-first Section of the said Act for the Admission of a Patient into a Public Asylum.

Fees to be paid for Admission of Lunatics to District Asylums.

23. The Exemption from Responsibility conferred on the Commissioners by Section Eight of the said first-recited Act shall extend to everything done bonâ fide in the Execution of this or any other of the said recited Acts, or in the Exercise of the Powers herein and therein contained.

Commissioner not to be personally responsible.

24. In any Action at Law which may be raised against any Medical Person in respect of any Certificate granted by him under the Provisions of this Act, or of any of the recited Acts, the Issue or Issues, after being adjusted, shall be tried, and the Amount of Damages (if any) assessed by the Lord Ordinary before whom such Action depends, without a Jury; and the Proceedings at and consequent on the Trial of such Issue or Issues shall be regulated by the Provisions of the Act, &c., intituled "An Act to facilitate "Procedure in the Court of Session in Scotland," with respect to the Proceedings at and consequent on the Trial by the Lord Ordinary without a Jury of such Issues as may under the Provisions of that Act be so tried; and such Action at Law must be raised within Twelve Months from the Time when any Person who may allege that he has sustained any Injury in consequence of the granting of any such Medical Certificate shall have been liberated from the Asylum in which he may have been confined in consequence of such Certificate having been granted.

Actions against Medical Persons in respect to Certificates under Lunacy Acts to be tried by the Lord Ordinary without a Jury.
13 & 14 Vict. c. 36.

CLAUSE B.
Borrowing Powers.

25. It shall be lawful to the Directors of any Public Asylum, or to the Parochial Board of any Parish which has erected or shall hereafter erect or extend Buildings for the Treatment of Pauper Lunatics, duly licensed in accordance with the Provisions of the first-recited Act, or to the Trustees vested for Behoof of such Parochial Board in any Land on which such Buildings are or may hereafter be erected, to borrow on the Security of such Lands and Buildings, and of the Rates and Assessments leviable by such Parochial Board, all or any of the Monies required for the Erection or Extension of such Buildings, or which may be deemed by such Directors or Parochial Board to be necessary or beneficial for the Administration of such Asylums or Buildings, and the Maintenance and Repairs thereof: Provided always, that in the Case of Parochial Boards or Trustees for Parochial Boards, any Money borrowed for the Purposes aforesaid shall be repaid by annual Instalments of not less in any One Year than One Thirteenth of the Sum borrowed, exclusive of the Payment of the Interest upon the same.

SCHEDULE A.

I hereby certify, on Soul and Conscience, that I have, within a Period not exceeding One Month preceding the Date of this Certificate, carefully reviewed and considered the Cases of the Patients whose Names are subjoined, and I am of opinion that their continued Detention in the Asylum is necessary and proper for their own Welfare [*or* for the Public Safety, *as the Case may be*].

Superintendent *or* Medical Attendant.

Dated at this
Day of 186 .

Lunacy Acts (Scotland) Amendment.

A

BILL

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

To amend the Acts relating to Lunacy in Scotland, and to make further Provision for the Care and Treatment of Lunatics.

(*Prepared and brought in by*
Mr. Adam, The Lord Advocate, and
Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
11 *May* 1866.

[Bill 157.]

Under 2 oz.

A

BILL

TO

Render legal Marriage with a deceased Wife's Sister.

WHEREAS it is expedient to amend the Law as to Marriage with a deceased Wife's Sister:

Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Marriages with deceased Wife's Sister before the passing of this Act not to be void or voidable, and such Marriages to be legal in future.

1. No Marriage between a Man and his deceased Wife's Sister which has been celebrated since the passing of the Fifth and Sixth of William the Fourth, Chapter Fifty-four, at any Place whatever within the Realm or without, or which shall hereafter be celebrated in the Office of any Registrar under the Provisions of the Acts relating to Marriages in England and Ireland, shall be deemed to have been nor shall be void or voidable by reason only of the Affinity of the Parties thereto, or by reason of any Statute, or of any canonical or other Objection or Impediment, founded only on such Affinity, to the Validity of any such Marriage or to the Celebration thereof, or to the Validity of any Licence or Certificate under which the same may have been celebrated.

2. Provided

Excepted Cases.

2. Provided always, That nothing herein contained shall render valid any Marriage with the Sister of a deceased Wife where either of the Parties has afterwards, during the Life of the other, and before the *passing of this Act*, lawfully intermarried with any other Person.

Provision for Saving Rights.

3. Provided also, That this Act, so far as it relates to any Marriage with the Sister of a deceased Wife contracted before the *passing of this Act*, shall not invalidate or affect any Right to any Dignity or Title of Honour, or any Estate, Right, Title, or Interest, legal or equitable, in or to any Lands, Hereditaments, Chattels, or Effects, vested in any Person before the *passing of this Act*, nor any contingent Estate or Interest, legal or equitable, in any Lands, Hereditaments, Chattels Real, Chattels or Effects, created by or derived from any Settlement, Grant, Conveyance to Uses, Release, Appointment, or other Instrument bonâ fide executed before the *passing of this Act*, or by or from any Devise or Will which shall have become operative by the Death of the Devisor or Testator before the *passing of this Act*.

No Marriage with deceased Wife's Sister hereafter contracted in Scotland to be void by reason of Affinity.

4. No Marriage between a Man and his deceased Wife's Sister contracted in Scotland after the *passing of this Act* shall be void by reason only of the Affinity of the Parties thereto, or by reason of any Statute, or of any Objection or Impediment, founded only on such Affinity, to the Validity of such Marriage or to the contracting thereof.

Extent of Act.

5. Clause 4. only of this Act shall extend to Scotland.

Marriage with a deceased Wife's Sister.

A

BILL

To render legal Marriage with a deceased Wife's Sister.

(*Prepared and brought in by*
Mr. Chambers, Mr. Tompson Hankey,
and Mr. Morley.)

Ordered, by The House of Commons, *to be Printed*,
6 *March* 1866.

[Bill 50.]

Under 1 *oz.*

A

BILL

TO

Amend the Law relating to Marriages by Roman Catholic Clergymen in Ireland.

WHEREAS by an Act of Parliament passed in the Parliament of Ireland in the Nineteenth Year of the Reign of King George the Second, intituled "An Act for "annulling all Marriages to be celebrated by any Popish Priest "between Protestant and Protestant, or between Protestant and "Papist; and to amend and make more effectual an Act passed in "said Kingdom in the Sixth Year of the Reign of Her late "Majesty Queen Anne, intituled 'An Act for the more effectually "'preventing the taking away and marrying Children against the "'Will of their Parents or Guardians,'" it was enacted that every Marriage that should be celebrated after the First Day of May One thousand seven hundred and forty-six between a Papist and any Person who had been or had professed him or her self to be a Protestant at any Time within Twelve Months before such Celebration of Marriage, or between Two Protestants if celebrated by a Popish Priest, should be and was thereby declared absolutely null and void, to all Intents and Purposes, without any Process, Judgment, or Sentence of Law whatsoever: Preamble.

And whereas the said Enactment has been fraudulently taken advantage of, and has led to great public Scandal and Inconvenience:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Recited Enactment repealed after 1 Jan. 1867.

1. That the said Enactment be and the same is hereby repealed as to all Marriages which shall be celebrated by any Roman Catholic Priest between Two Protestants, or between a Protestant and Roman Catholic, after the *First Day of January One thousand eight hundred and sixty-seven.*

Nothing contained in Marriages (I.) Act 7 & 8 Vict. c. 81. to affect certain Marriages by Roman Catholic Priests.

2. Nothing contained in an Act of Parliament passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled "An Act for Marriages in "Ireland, and for registering such Marriages," shall affect any Marriage between Two Protestants, or between a Protestant and Roman Catholic, celebrated by any Roman Catholic Priest after the *First Day of January One thousand eight hundred and sixty-seven,* and no Notice in the Form of Schedule A. to said Act annexed shall be required in the Case of any such Marriage; and the Exception in said last-recited Act contained, in the Case of a Marriage by any Roman Catholic Priest which might at the Time of the passing of said Act be lawfully celebrated, shall be extended to and include the Case of a Marriage by any Roman Catholic Priest between Two Protestants, or between a Protestant and Roman Catholic, celebrated after the *First Day of January One thousand eight hundred and sixty-seven.*

Not to apply to Proceedings commenced before passing of Act.

3. Provided always, That nothing in this Act contained shall extend or apply to any Proceeding, Civil or Criminal, commenced before the *passing of this Act.*

Act not to repeal Prohibitions against Performance of Marriages by degraded Clergymen.

4. Nothing in this Act shall extend or be construed to extend to the Repeal of any Enactments now in force for preventing the Performance of the Marriage Ceremony by degraded Clergymen, and that this Act shall not extend or apply to the Marriage of any of the Royal Family, and shall extend to Ireland only.

Marriages (Ireland).

A

B I L L

To amend the Law relating to Marriages by Roman Catholic Clergymen in Ireland.

(Prepared and brought in by
Mr. Sergeant Armstrong and Mr. Bryan.)

Ordered, by The House of Commons, *to be Printed,*
10 *April* 1866.

[Bill 99.]

Under 1 *oz.*

A

BILL

TO

Amend the Law relating to Marriages by Roman Catholic Clergymen in Ireland.

Preamble.

WHEREAS by an Act of Parliament passed in the Parliament of Ireland in the Nineteenth Year of the Reign of King George the Second, intituled "An Act for "annulling all Marriages to be celebrated by any Popish Priest "between Protestant and Protestant, or between Protestant and "Papist; and to amend and make more effectual an Act passed in "the said Kingdom in the Sixth Year of the Reign of Her "late Majesty Queen Anne, intituled 'An Act for more effectually "'preventing the taking away and marrying Children against the "'Will of their Parents or Guardians,'" it was enacted that every Marriage that should be celebrated after the First Day of May One thousand seven hundred and forty-six between a Papist and any Person who had been or had professed him or her self to be a Protestant at any Time within Twelve Months before such Celebration of Marriage, or between Two Protestants if celebrated by a Popish Priest, should be and was thereby declared absolutely null and void, to all Intents and Purposes, without any Process, Judgment, or Sentence of Law whatsoever:

And whereas Marriages have been from Time to Time celebrated by Roman Catholic Priests between a Roman Catholic and a Person who had been, or had professed him or her self to be, a Protestant within Twelve Months before such Celebration of Marriage but who before or at the Celebration of such Marriage professed him or her self to be a Roman Catholic, and some of such last-mentioned Marriages were afterwards held to be invalid, and Doubts have arisen as to the Validity and Effect of others of such last-mentioned Marriages:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Marriages heretofore celebrated by Roman Catholic Priest between Roman Catholic and Person professing to be Rom an Catholic to be deemed valid.

1. That every Marriage heretofore celebrated by any Roman Catholic Priest, according to the Rites and Ceremonies of the Roman Catholic Church, between a Roman Catholic and any Person who at the Time of the Celebration of such Marriage professed him or her self to be a Roman Catholic, shall be deemed and taken to have been a Marriage which a Roman Catholic Priest might lawfully celebrate, and shall be as valid to all Intents and Purposes as if same had been celebrated between Two Roman Catholics, though such Person was or had professed him or her self to be a Protestant at any Time within Twelve Months before such Celebration of Marriage, the said Act or anything therein contained, or any other Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

Marriages to be hereafter celebrated by Roman Catholic Priest between Roman Catholic and Person professing to be Roman Catholic to be valid.

2. Every Marriage which shall hereafter be celebrated by any Roman Catholic Priest, according to the Rites and Ceremonies of the Roman Catholic Church, between a Roman Catholic and any Person who shall, at the Time of the Celebration of such Marriage, profess him or her self to be a Roman Catholic, shall be deemed and taken to be a Marriage which a Roman Catholic Priest may lawfully celebrate, and shall be as valid to all Intents and Purposes as if same had been celebrated between Two Roman Catholics, though such Person shall be, or shall have professed him or her self to be, a Protestant at any Time within Twelve Months before such Celebration of Marriage, the said Act or anything therein contained, or any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

The Celebration of such Marriage *primâ facie* Evidence of such Profession.

3. The Celebration of such Marriage by a Roman Catholic Priest as aforesaid shall be *primâ facie* Evidence that each of the contracting Parties did, at the Time of the Celebration of such Marriage, profess to be a Roman Catholic.

Act not to extend to Civil or Criminal

4. Nothing in this Act contained shall extend or apply to any Proceeding, Civil or Criminal, commenced before the passing of this Act, in which any Question of a Marriage celebrated by any

Roman Catholic Priest has arisen or may arise, or to repeal any Enactments now in force for preventing the Performance of the Marriage Ceremony by degraded Clergymen, or to the Marriage of any of the Royal Family.

Proceedings commenced before passing of Act.

5. This Act shall extend only to Ireland.

Act to extend only to Ireland.

Marriages (Ireland).
No (2.)

A

BILL

To amend the Law relating to Marriages by Roman Catholic Clergymen in Ireland.

(*Prepared and brought in by*
Mr. Sergeant Armstrong and Mr. Bryan.)

Ordered, by The House of Commons, *to be Printed,*
25 *April* 1866.

[Bill 123.]

Under 1 *oz.*

A

BILL

TO

Render valid divers Marriages solemnized in the Church of Sydmonton in the County of Southampton.

WHEREAS the Church or Chapel of the Hamlet of Sydmonton in the Parish of Kingsclere in the County of Southampton and Diocese of Winchester was taken down for the Purpose of being rebuilt, and a new Church was thereupon erected on the old Foundations, and opened for Divine Service on the Twenty-ninth of May One thousand eight hundred and fifty-three: Preamble.

And whereas divers Marriages have been solemnized in the said Church under the Impression that as such Church was built on Ground heretofore duly consecrated further Consecration was unnecessary, and no Consecration took place until the Nineteenth of August One thousand eight hundred and sixty-five:

And whereas it is expedient under the Circumstances aforesaid to remove all Doubts touching the Validity of Marriages solemnized in the said Church between the Twenty-ninth of May One thousand eight hundred and fifty-three and the Seventeenth of August One thousand eight hundred and sixty-five:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Validation of Marriages solemnized in the Church or Chapel of Sydmonton between the 29th of May 1853 and the 17th of August 1865.

1. All Marriages heretofore solemnized in the said Church or Chapel between the said Twenty-ninth of May One thousand eight hundred and fifty-three and the Seventeenth of August One thousand eight hundred and sixty-five by the officiating Minister thereof or by any other Clergyman respectively, being duly ordained Ministers of the Church of England, and the Publication of Banns in such Church or Chapel by such Minister or Clergyman previous to any such Marriages, shall be and be deemed good, valid, and effectual in the Law to all Intents and Purposes whatsoever.

Minister officiating not liable to censure.

2. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so solemnized the same respectively.

Registers of such Marriages to be Evidence.

3. The Registers of the Marriages so solemnized, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof, are by Law receivable in Evidence.

Marriages (Sydmonton).

A

BILL

To render valid divers Marriages solemnized in the Church of Sydmonton in the County of Southampton.

(Prepared and brought in by
Mr. Beach and Mr. Sclater Booth.)

Ordered, by The House of Commons, *to be Printed,*
30 *May* 1866.

[Bill 167.]

Under 1 *oz.*

A

BILL

TO

Amend "The Merchant Shipping Act, 1854."

WHEREAS the Rules for calculating the Allowance for Engine Room in Steam Ships contained in the Twenty-third Section of "The Merchant Shipping Act, 1854," were, after Experience of their Operation, found to be inequitable: And whereas the Commissioners of Customs, with the Approval of the Board of Trade, acting in the supposed Exercise of Powers given to them by the Twenty-ninth Section of the said Act, did, on the Twenty-seventh Day of October One thousand eight hundred and sixty, make certain other Rules, viz., the Rules contained in the Third Section of this Act, and such last-mentioned Rules have ever since the said Twenty-seventh Day of October One thousand eight hundred and sixty been and are now in operation: And whereas it has been decided that the Powers given to the said Commissioners of Customs by the said Twenty-ninth Section of the said Act did not empower them to make the said last-mentioned Rules: And whereas the said last-mentioned Rules are equitable, and it is expedient that they should be confirmed by Authority of Parliament: And whereas it is expedient otherwise to amend the First Part of "The Merchant Shipping Act, 1854:" Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and

Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited as "The Merchant Shipping Act Amendment Act, 1866," and shall be construed with and as Part of "The Merchant Shipping Act, 1854."

17 & 18 Vict. c. 104. s. 23. repealed.

2. Section Twenty-three of "The Merchant Shipping Act, 1854," is hereby repealed.

In measuring Tonnage of Steam Vessels, Space occupied by propelling Power to be deducted.

3. In every Ship propelled by Steam or other Power requiring Engine Room an Allowance of Space or Tonnage shall be made for the Space occupied by the propelling Power, and the Amount so allowed shall be deducted from the gross Tonnage of the Ship; and such Deduction shall be estimated as follows; that is to say,

1. Measure the mean Length of the Engine Room between the Foremost and Aftermost Bulkheads, or Limits of its Length, excluding such Parts, if any, of such Length as are not actually occupied by or required for the proper working of the Machinery; then measure the Depth of the Ship at the middle Point of this Length from the Ceiling at the Limber Strake to the Upper Deck in Ships of Three Decks and under, and to the Third Deck or Deck above the Tonnage Deck in all other Ships; also the inside Breadth of the Ship clear of Sponsing, if any, at the Middle of the Depth; multiply together these Dimensions of Length, Depth, and Breadth for the Cubical Contents; divide this Product by One hundred, and the Quotient shall be deemed to be the Tonnage of the Engine Room, or Allowance to be deducted from the gross Tonnage on account of the propelling Power:
2. In the Case of Ships having more than Three Decks, the Tonnage of the Space or Spaces betwixt Decks, if any, above the Third Deck, which are framed in for the Machinery, or for the Admission of Light and Air, found by multiplying together the Length, Breadth, and Depth thereof, and dividing the Product by One hundred, shall be added to the Tonnage of such Space:
3. In the Case of Screw Steamers, the Tonnage of the Shaft Trunk shall be deemed to form Part of and added to such Space, and shall be ascertained by multiplying together the Length, Breadth, and Depth of the Trunk, and dividing the Product by One hundred:
4. In any Ship in which the Machinery may be fitted in separate Compartments, the Tonnage of each such Compartment

shall be measured severally, in like Manner, according to the above Rules, and the Sum of their Results shall be deemed to be the Tonnage of the said Space.

To what Ships Act to extend.

4. The Two preceding Sections of this Act shall be deemed to apply to every Ship which has been measured by any Officer of Customs since the *Twenty-seventh Day of October One thousand eight hundred and sixty.*

Shelter for Engine Room Hatchways not to be included in Measurement.

5. Whenever in any Steam Ship there is a closed-in Space above Decks constructed solely for the Purpose of protecting the Hatchways of the Engine Room from Sea or Weather, such Space shall be excluded from the Tonnage Measurement; but if any Passengers, Goods, or Stores, or any of the Crew are carried or stowed in such Space, the Master and Owner shall each be liable to a Penalty not exceeding One hundred Pounds.

In Ships having double Bottoms Spaces between Bottoms not to be included in Measurement.

6. Whenever any Ship has a double Bottom, and the Space between the Bottoms is incapable of being used for the Purpose of carrying Cargo, the Points from which to measure for measuring the Depth of the Ship mentioned in the Twenty-first Section of the said Act shall be the upper Side of the inner Bottom instead of the upper Side of the Floor Timber.

Rules for preventing Change of Names of registered Ships.

7. The following Rules shall be observed with respect to the Names of British registered Ships, in addition to the Rules contained in Section Thirty-four of "The Merchant Shipping Act, 1854:"

1. No registering Officer shall register any Ship which, having once been registered, has ceased to be so registered, except in the Name by which she was originally registered:
2. The Declarations mentioned in the Thirty-eighth and Thirty-ninth Sections of the said Act shall contain, in addition to the Statements thereby required, a Statement of the Name of the Ship:
3. If in any Case it is shown to the Satisfaction of the Commissioners of Customs that any Ship has changed her Name, it shall be lawful for them to direct that she shall be registered in the Name she bore before such Change, and the Name shall be altered accordingly.

Merchant Shipping Act (1854) Amendment.

A

B I L L

To amend "The Merchant Shipping Act, 1854."

(*Prepared and brought in by*
Mr. Milner Gibson and Lord Clarence Paget.)

Ordered, by The House of Commons, *to be Printed,*
9 *March* 1866.

[Bill 58.]

Under 1 *oz.*

A

B I L L

TO

Amend the Law in England and Wales with reference to the Assessment of Mines to Local Rates.

Preamble.

WHEREAS Doubts are entertained whether Mines other than Coal Mines are liable to be rated to Local Rates, and it is expedient that such Doubts should be removed: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

All Mines to be rated.

1. From and after the next, Mines and Minerals of every Description in England and Wales shall be liable to be rated to Local Rates in the same Manner and to the same Extent, so far as Circumstances will admit, in which and to which Coal Mines are liable to be rated to Local Rates.

Allowance for Exhaustion of Corpus, &c.

2. Provided always, That in assessing the annual Value of Mines or Minerals there shall, in addition to the usual Deductions and Allowances, be made such further Deduction or Allowance as will, so far as can be calculated on the Exhaustion of the Mineral, represent by Accumulation its original Fee Simple Value, and the Value of the Capital expended thereon.

Provision for Existing Leases.

3. Provided also, That where any Mine shall at the *passing of this Act* be held upon a Lease reserving Rent in Money, Royalty, Toll, or Due other than in Kind the Occupier of the Mine which by reason of this Statute shall become rateable shall be entitled to deduct from the Rent, Royalty, Toll, or Due payable under such Lease *One Moiety* of the Sum charged upon him towards the said Rate in respect of such Mine before the Day upon which such Rents shall have accrued, and the Lessor or Person otherwise entitled to such Rent, Royalty, Toll, or Due, shall allow such Deduction in part Payment thereof.

Title of Act.

4. This Act may be cited as the "Rating of Mines Act, 1866."

Mines Assessment.

A

BILL

To amend the Law in England and Wales with reference to the Assessment of Mines to Local Rates.

(*Prepared and brought in by*
Mr. Stephen Cave, Mr. Henderson, Mr. Percy Wyndham, and Mr. W. E. Duncombe.)

Ordered, by The House of Commons, *to be Printed,*
2 *May* 1866.

[Bill 131.]

Under 1 *oz.*

A

BILL

FOR

The Cancellation of certain Capital Stocks of Annuities standing in the Names of the Commissioners for the Reduction of the National Debt.

WHEREAS Capital Stocks of Annuities to a large Amount are standing in the Names of the Commissioners for the Reduction of the National Debt to Two separate Accounts, and arising from different Sources, that is to say, first, to an Account, intituled "The Account of unclaimed Dividends," arising from Investments made by the said Commissioners of Dividends not claimed upon Capital Stock transferred to the Commissioners in pursuance of divers Acts of Parliament, and, secondly, to an Account, intituled "The Account of Donations and Bequests towards reducing the National Debt," and arising from the Investment of certain Sums that have at various Times been given by Way of Donation or Bequest toward reducing the National Debt: And whereas it is expedient that Power should be given to the Commissioners of Her Majesty's Treasury to cancel the said Capital Stocks to the Extent and in manner herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, Preamble.

in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The National Debt Reduction Act, 1866."

Cancellation of Stock standing to the Unclaimed Dividend Account.

56 G. 3. c. 60.
8 & 9 Vict. c. 62.

2. The Commissioners of Her Majesty's Treasury may at any Time hereafter, by Warrant addressed to the Governor and Company of the Bank of England, direct them to cancel any Amount the said Commissioners may think fit, not exceeding in the whole *Three million Pounds* of the Capital Stock of Annuities standing in the Names of the said Commissioners for the Reduction of the National Debt to the Account intituled "The Account of unclaimed "Dividends, pursuant to Acts Fifty-sixth George the Third, Chapter "Sixty, and Eighth and Ninth Victoria, Chapter Sixty-two," and upon such Cancellation being effected all Dividends payable on the cancelled Stock shall cease from and after the last Day on which they were due previous to such Cancellation.

Indemnity to Parties claiming cancelled Stock.

3. If at any Time after the Cancellation of such last-mentioned Stock it shall be certified to the Commissioners of Her Majesty's Treasury by the Governor and Company of the Bank of England that the Amount of Cash standing to the said Account is insufficient to meet the legal Claims thereon, the Commissioners of Her Majesty's Treasury shall issue out of the growing Produce of the Consolidated Fund to the said Governor and Company such Amounts as may from Time to Time be required for Payment of such legal Claims.

Cancellation of Stock standing to the Donation and Bequest Account.

4. The Commissioners of Her Majesty's Treasury may at any Time hereafter, by Warrant addressed to the Governor and Company of the Bank of England, direct them to cancel the whole of the Capital Stock of Annuities standing at the Date of such Warrant in the Names of the said Commissioners for the Reduction of the National Debt to the Account, intituled "The Account of Dona-"tions and Bequests towards the Reduction of the National "Debt," and upon such Cancellation being effected all Dividends payable on the cancelled Stock shall cease from and after the last Day on which they were due previous to such Cancellation.

Provision for cancelling future Annuities.

5. In all future Cases of Purchases of Capital Stocks of Annuities by the Application of Donations and Bequests Monies, unless it be otherwise expressly provided in every such Donation or Bequest respectively, such Annuities shall be at once cancelled by the Governor and Company of the Bank of England.

National Debt Reduction.

A

B I L L

For the Cancellation of certain Capital Stocks of Annuities standing in the Names of the Commissioners for the Reduction of the National Debt.

(*Prepared and brought in by*
Mr. Chancellor of the Exchequer
and Mr. Childers.)

Ordered, by The House of Commons, *to be Printed,*
9 *February* 1866.

[Bill 4.]

Under 1 *oz.*

A

B I L L

TO

Provide for the Acquisition of a Site for the Enlargement of the National Gallery.

WHEREAS it is expedient that the National Gallery in Trafalgar Square in the City of Westminster should be enlarged and improved, and that for the Purpose of such Enlargement and Improvement the additional Lands described and shown in the Plans herein-after mentioned should be acquired and appropriated in manner herein-after mentioned, but such Acquisition and Appropriation cannot be effected without the Authority of Parliament: And whereas duplicate Plans describing the Situation of the said Lands (herein-after referred to as the prescribed Lands), with a Book of Reference thereto, containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers thereof, have been deposited with the Clerk of the Peace for the County of Middlesex at his Office at the Sessions House, Clerkenwell, in the said County, and with the Vestry Clerk of the Parish of Saint Martin-in-the-Fields, at his Office: And whereas Parts of the prescribed Lands are now the Site of the Workhouse for the Parish of Saint Martin-in-the-Fields, and other Parts thereof are now the Site of the Parochial Schools of the said Parish, and other Parts thereof are now the Site of the School founded by Archbishop Tenison, and other Parts thereof belong to and are now vested in Preamble.

Her Majesty as Part of the Hereditary Land Revenues of the Crown, subject only to the existing Leases and Tenancies thereof, which Leases and Tenancies are specified in the Second Schedule to this Act annexed: And whereas Three several Provisional Agreements, whereof Copies are contained in the First Schedule to this Act annexed, have, with the Consent of the Lords Commissioners of Her Majesty's Treasury, been entered into by the First Commissioner of Her Majesty's Works and Public Buildings, with the Guardians of the Poor of the said Parish, with the Governors of the said Parochial Schools, and with the Trustees of the said Archbishop Tenison's Charity respectively: And whereas it is expedient that the said several Agreements should be confirmed, and that the Arrangements thereby contemplated should be carried into effect by means of the Provisions contained in this Act: And whereas it is supposed that under and by virtue of an Act of the First Year of Queen Anne, intituled "An Act for the better improving a "certain Piece of Ground in the Parish of Saint Martin-in-the-"Fields, for the Use of the Poor, and for other the Purposes therein "mentioned," and an Act of the Tenth Year of King George the Third, intituled "An Act for building a Workhouse in the "Parish of Saint Martin-in-the-Fields within the Liberty of West-"minster in the County of Middlesex," the former of which Acts contains Recitals of Letters Patent of King James the First and King Charles the First, the legal Estate in such of the prescribed Lands as are comprised in the said Three Agreements or some Part thereof was and is vested in the Vicar and Churchwardens of the said Parish, as incorporated by the former of the said Two Acts, but only in trust for the said Parish and for the Trustees of the said Archbishop Tenison's Charity respectively: And whereas it appears from the said Acts and the said Letters Patent that the prescribed Lands, or Parts thereof, form Part of a Piece of Ground formerly granted by King James the First for a Churchyard for the said Parish, but no Part of the prescribed Lands has within the Memory of Man been used as a Churchyard, and there is not in any Part of the same Lands any Grave, Tombstone, or Monument, or other Indication of Burial having been performed there, and it is expedient that any Doubt as to the Uses to which the said Land is subject should be removed by express Enactment: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Purposes of the Act.

1. The Purposes of this Act are the Acquisition and Appropriation of additional Lands for the Enlargement and Improvement of the National Gallery aforesaid, and the constructing and doing such

Works and Things as are conducive to the Attainment of the above Purposes or any of them, or incidental thereto.

Commissioners of Her Majesty's Works, as incorporated, to carry the Act into effect.

2. The Commissioners of Her Majesty's Works and Public Buildings, as incorporated by the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Twenty-eight, and who are herein-after referred to as the Commissioners, shall have the Charge of carrying this Act into effect, but all the prescribed Lands, as and when they shall be acquired for or become appropriated to the Purposes of this Act shall be conveyed to or shall become or remain vested in Her Majesty, Her Heirs or Successors, for the Purposes of this Act, or for such other Purposes of public Utility as may be sanctioned by Parliament: Nevertheless any Parts of the prescribed Lands which may not be required for the Purposes of this Act may be sold and disposed of by the Commissioners in manner by the said Act of the Fifteenth and Sixteenth Years of Her Majesty authorized and prescribed, and the Commissioners in such Case shall have Power to convey all the Estate and Interest of Her Majesty, Her Heirs or Successors, in the Land so sold or disposed of.

No Part of prescribed Lands to be a Churchyard.

3. It is hereby declared, That no Part of the prescribed Lands is or shall be a Churchyard.

Value of the Crown Property to be ascertained by a Surveyor to be appointed by the Lords of the Treasury, and the Amount to be paid to Commissioners of Woods.

4. The Value of the Estate and Interest of Her Majesty in such of the prescribed Lands as are now vested in Her Majesty as Part of the Hereditary Land Revenues of the Crown as aforesaid, together with the Amount of the Damage which will be caused to the Property of Her Majesty adjoining the prescribed Lands on the West Side thereof by the stopping up of the Streets and Passages by this Act authorized to be stopped up, shall forthwith be ascertained by a Surveyor to be appointed by the Lords Commissioners of Her Majesty's Treasury for that Purpose, *and the Sum awarded by such Surveyor shall be paid by the Commissioners out of any Monies which may be placed at their Disposal by Parliament for that Object to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, to be by them applied to the same Purposes as Monies arising from the Sale of Estates belonging to the Crown are directed to be applied by the Act of the Tenth Year of King George the Fourth, Chapter Fifty,* and *from and after such Payment* such of the prescribed Lands as are now vested in Her Majesty as aforesaid shall cease to be Part of the Hereditary Land Revenues of the Crown, but shall remain vested in Her Majesty, Her Heirs and Successors, for the Purposes in this Act mentioned.

5. The

Payment and Apportionment of Rents of Crown Property.

5. The Rents in arrear at the passing of this Act, and the Rents which shall accrue due down to and inclusive of the First quarterly or half-yearly Day of Payment which shall happen after the Payment to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues of the Sum to be awarded as herein-before mentioned in respect of all those Parts of the prescribed Lands which now belong to Her Majesty as aforesaid, shall be received by the last-mentioned Commissioners, who shall pay to the said Commissioners of Her Majesty's Works and Public Buildings an apportioned Part of such Rents, when received, in respect of the Time between the Payment of the aforesaid Sum and the next quarterly or half-yearly Day of Payment; and after such quarterly or half-yearly Day of Payment as shall happen next after the Payment of the Sum aforesaid the said Rents shall be received by the said Commissioners of Her Majesty's Works and Public Buildings.

Payment of Purchase Money to Guardians of the Poor, the Treasurers of the Parochial Schools, and the Trustees of Tenison's Charity, at the Times and in manner mentioned in the Agreements contained in the First Schedule.

6. The Commissioners shall, *out of any Monies which may be placed at their Disposal by Parliament for that Object*, pay to the Guardians of the Poor of the said Parish, to the Treasurers of the said Parochial Schools, and to the Trustees of Archbishop Tenison's Charity respectively, the several Sums mentioned in the said several Agreements contained in the said First Schedule hereto, at the Times and in manner in the same Agreements respectively mentioned.

On Payment of First Instalment mentioned in the First Agreement, Lands to vest in Her Majesty for the Purposes of the Act.

7. On Payment by the Commissioners, *out of such Monies as aforesaid*, of the First Instalment or Sum of Twenty-two thousand three hundred and thirty-three Pounds Six Shillings and Eightpence, mentioned in the First of the said Agreements, all the Buildings, Land, and Hereditaments in the same Agreement mentioned shall become and remain vested in Her Majesty, Her Heirs and Successors, for the Purposes in this Act mentioned, for all the Estate and Interest therein of the Guardians of the Poor of the said Parish, or of the Vicar and Churchwardens of the said Parish, subject nevertheless to such Lien and to such Right of Occupation as in the same Agreement are mentioned.

On Payment of First Instalment mentioned in the Second Agreement, Lands to vest in Her Majesty for the Purposes of the Act.

8. On Payment by the Commissioners, *out of such Monies as aforesaid*, of the First Instalment or Sum of Four thousand eight hundred and seventy-five Pounds Six Shillings and Eightpence, mentioned in the Second of the said Agreements, all the Buildings, Land, and Hereditaments in the same Agreement mentioned shall become and remain vested in Her Majesty, Her Heirs and Successors, for the Purposes in this Act mentioned, for all the Estate and Interest therein of the Governors of the said Parochial Schools, or of the Vicar and Churchwardens of the said Parish, subject nevertheless to such Lien and to such Right of Occupation as in the same Agreement are mentioned.

On Payment of First Instalment mentioned in the Third Agreement, Lands to vest in Her Majesty for the Purposes of the Act.

9. On Payment by the Commissioners, *ont of such Monies as aforesaid*, of the First Instalment or Sum of Five thousand six hundred and thirty Pounds mentioned in the Third of the said Agreements, all the Buildings, Land, and Hereditaments in the same Agreement mentioned shall become and remain vested in Her Majesty, Her Heirs and Successors, for the Purposes in this Act mentioned, for all the Estate and Interest therein of the Trustees of Archbishop Tenison's Charity, or of the Vicar and Churchwardens of the said Parish, subject nevertheless to such Lien and to such Right of Occupation as in the same Agreement are mentioned.

Monies payable to the Guardians of the Poor to be paid into the Bank of England.

10. All Monies payable under this Act to the Guardians of the Poor of the said Parish shall be paid into the Bank of England to the Account of "The Guardians of the Poor of the Parish of Saint Martin-in-the-Fields in the County of Middlesex."

Monies payable to Trustees of Tenison's Charity to be paid to any Three or more of them.

11. And all Monies payable under this Act to the Trustees of Archbishop Tenison's Charity may be paid to any Three or more of them; and for the Purposes of this Act a Certificate purporting to be under the Hand of the Vestry Clerk for the Time being of the said Parish of Saint Martin-in-the-Fields shall be sufficient Proof that the Persons therein named are (as the Case may be) Treasurers of the said Parochial Schools or Trustees of the said Archbishop Tenison's Charity; and the Receipts of Treasurers or Trustees, so certified, shall be sufficient Discharges to the Commissioners for any Monies paid to them under this Act.

Purchase of Remainder of prescribed Lands.

12. The Commissioners may, out of any Monies which may be placed at their Disposal by Parliament for that Object, purchase, acquire, take, and use, for the Purposes of this Act, all or any Part of the Remainder of the prescribed Lands (if any), or any Estate or Interest in any of the prescribed Lands.

Commissioners may enter to survey or value.

13. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purposes of surveying or valuing the same.

Incorporation of Lands Clauses Consolidation Acts, with certain Exceptions.

14. The Lands Clauses Consolidation Acts of 1845 and 1860 shall be incorporated with this Act, with the Exceptions and Additions and subject to the Provisions herein-after contained; (that is to say,)

1. There shall not be incorporated with this Act the Provisions in Section 16 of the Act of 1845, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; or the Provisions relating to affording Access to the Special Act.
2. In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the Special Act, and the Commissioners shall be deemed to be "The Promoters of the Undertaking."
3. The Bond required by Section 85 of the Act of 1845 shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.
4. The Term "Sheriff" used in the Provisions of the Act of 1845, relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of Westminster, or his Deputy.

Extinction of Rights of Way and other Easements.

15. Upon the Purchase or Acquisition for the Purposes of this Act of the prescribed Lands or any Part thereof (save as herein-after provided), all Rights of Way, Rights of laying down or of continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Land or Part thereof shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest in Her Majesty, subject to this Provision that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said Land Clauses Consolidation Act, 1845; and for the Purposes of this Section Duke's Court and the Passage through the East Wing of the National Gallery shall be deemed to be acquired at the same Time as the Workhouse and Hereditaments comprised in the said First Agreement.

Limit for compulsory Purchases.

16. The Limit for the compulsory Purchase of Lands under this Act shall be Five Years.

Commissioners may acquire

17. The Commissioners may, for the Purpose of enlarging or improving the National Gallery, acquire by Purchase or otherwise any

Lands by Agreement for the Purposes of the Act.

any Lands, or Interest in Lands or Easements, and for the Purposes of such Acquisition the said Lands Clauses Consolidation Acts shall be deemed to apply, with the Exception of so much thereof as relates to the Purchase of Lands otherwise than by Agreement.

Powers to Commissioners to execute Works.

18. The Commissioners may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works, and do all such other Things as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act or any of them.

As to Rights of Metropolitan Board of Works.

19. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Buildings exempt from 18 & 19 Vict. c. 122.

20. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

No Purchaes to be made without the Authority of the Treasury.

21. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any Vendor, or any Purchaser from the Commissioners, to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchasers, as to the said Commissioners of the Treasury may seem meet.

Authentication of Notices.

22. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners.

Contracts made by First Commissioner of Works to be valid.

23. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid, and shall be binding on the Commissioners, as if the same had been under their Corporate Seal.

Monies payable to the Commissioners, to be paid

24. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General, or the Deputy to Her Majesty's Paymaster General.

Paymaster General for the Time being, or other Officer acting for Paymaster General, whose Receipt, unstamped, shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer, Bills if the Commissioners shall so direct.

Orders concerning Money paid into Court may be made at Chambers.

25. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of England with the Privity of the Accountant General of the Court of Chancery, under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing Commissioners.

26. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Power vested in them under this Act, he shall forfeit a Sum not exceeding *Five Pounds* for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

27. No Deed, Bond, or other Instrument made by, to, or with the Commissioners for any of the Purposes of this Act shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

28. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to the Commissioners for the Purposes of this Act shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the Commissioners, and every such Conveyance, Assignment, or other Deed or Instrument, when so enrolled, shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Plan to be deposited in the Office of Works, and to be open for Inspection.

29. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office to the end that all Persons may at all seasonable Times, on Payment of a Fee of *One Shilling*, have Liberty to inspect the same.

Short Title.

30. This Act may be cited for all Purposes as "The National Gallery Enlargement Act, 1866."

The FIRST SCHEDULE above referred to.

No. 1.

Agreement for Purchase of the Site of the Workhouse.

Articles of Agreement made the 20th Day of April 1866, between The Right Honourable William Francis Cowper, First Commissioner of Her Majesty's Works and Public Buildings, of the one Part, and the Guardians of the Poor of the Parish of St. Martin-in-the-Fields in the County of Middlesex of the other Part.

It is agreed as follows:

1. The First Commissioner shall purchase, and the Guardians shall sell, for the Sum of 67,000*l.*, all that the present Workhouse of the said Parish, with the Dwellings, Offices, Buildings, Yards, and Appurtenances thereto belonging, coloured Red on the Plan drawn in the Margin hereof, with such Parts of the Streets and Ways abutting thereon as belong thereto, to be vested in Her Majesty, for the Purpose of enlarging the National Gallery, or for other Purposes of public Utility.

2. The said Sum of 67,000*l.*, to be called the "Workhouse Fund," shall be paid to the Guardians of the said Parish for the Time being in the following Instalments; videlicet, the Sum of 22,333*l.* 6*s.* 8*d.*, being One Third thereof, within One Calendar Month after the intended Act or Acts herein-after mentioned shall have been passed, the Sum of 15,000*l.* on the 1st Day of January 1867, and the Remainder thereof, being 29,666*l.* 13*s.* 4*d.*, on the 1st Day of August 1867; to be applied by them in the first place in the Purchase of Sites for a new Workhouse for the said Parish in some suitable Place within or not within the said Parish, subject to the Direction of the Poor Law Board, and also an auxiliary Workhouse for Casual Poor and Cases of Emergency in some suitable Place within the said Parish, subject to such Direction as aforesaid; and in the next place in building, fitting up, and completing such new Workhouse, and auxiliary Workhouse and in supplying and furnishing the same

same with suitable Fixtures and Fittings; and the Surplus, if any, shall be invested, under the Direction of the Poor Law Board, at Interest, which Interest shall be applied in Relief of the Poor Rates of the said Parish, subject nevertheless to the Provisions of the intended Act or Acts of Parliament herein-after mentioned.

3. On Payment of the First Instalment of the said Purchase Money the said Workhouse and Hereditaments firstly herein-before mentioned shall be absolutely conveyed to or vested in Her Majesty, subject only to a Lien for the Residue of the Purchase Money: Nevertheless the Guardians shall be entitled to the Use thereof, without paying any Rent or any Interest on the Purchase Money, until the 1st Day of October 1868, or such other Day as the Secretary of State for the Home Department may at any Time, not less than Three Calendar Months before the said 1st Day of October 1868, fix, by Writing under his Hand, such Day nevertheless not to be later than the 31st Day of December 1869, or One Year after the Payment of the last Instalment of the Purchase Money, whichever shall last happen.

4. This Agreement is only to take effect in the event of an Act or Acts being passed in the present Session of Parliament giving the necessary Powers for carrying it into execution, either with or without Modifications, and also enabling the said Guardians, or other proper Persons for the Time being, to purchase by Agreement a Site for such new Workhouse as aforesaid, and to acquire compulsorily a Site within the said Parish for such auxiliary Workhouse as aforesaid.

5. The said First Commissioner will pay to the said Guardians for the Time being, or as they shall appoint, all their Costs, Charges, and Expenses properly incurred or to be incurred in surveying and valuing the Workhouse and Premises hereby contracted to be sold; and the Costs and Expenses incurred and to be incurred in the Preparation of this Agreement, or in connexion therewith, and also their Costs, Charges, and Expenses (incurred or to be incurred) preparatory to and of and incident to obtaining the intended Act or Acts of Parliament herein-before mentioned, or procuring the Insertion of proper Clauses in such intended Act or Acts.

6. All Monies hereby agreed to be paid shall be payable only out of such Monies (if any) as may be voted by Parliament for that Purpose, and nothing herein shall in any Case create any personal Obligation on the said First Commissioner or on the said Guardians, any or either of them.

Witness the Hand of the said William Francis Cowper and the Corporate Seal of the Guardians.

Signed by the said William Francis Cowper,
in the Presence of
Alfred Austin,
Secretary to Her Majesty's Office of Works.

Corporate
Seal of the
Guardians.

W. F. Cowper.

No. 2.

No. 2.

Agreement for Purchase of the Site of the Parochial Schools.

Articles of Agreement made the 20th Day of April 1866 between the Right Honourable William Francis Cowper, First Commissioner of Her Majesty's Works and Public Buildings, of the one Part, and the Reverend William Gilson Humphry and James Henderson Watherston, Two of the Governors of the Parochial Schools of the Parish of Saint Martin-in-the-Fields in the County of Middlesex, for and on behalf of themselves and all the other Governors, of the other Part.

It is agreed as follows:

1. The First Commissioner shall purchase, and the Governors shall sell, for the Sum of 7,313*l.* all those the Parochial Schools of the said Parish, with the Offices, Buildings, Outbuildings, Yards, and Appurtenances thereto belonging, coloured Yellow in the Plan drawn in the Margin hereof, with such Parts of the Streets and Ways abutting thereon as belong thereto, the same to be vested in Her Majesty, for the Purpose of enlarging the National Gallery, or for other Purposes of public Utility.

2. The said Sum of 7,313*l.* (to be called "the Parochial Schools Fund") shall be paid to the Treasurers of the said Schools in the following Instalments; viz., 4,875*l.* 6*s.* 8*d.*, being Two Third Parts thereof, within One Calendar Month after the intended Act or Acts herein-after mentioned shall have been passed, and the Sum of 2,437*l.* 13*s.* 4*d.*, being the remaining Third Part, on the 1st Day of August 1867; and the Governors of the said Schools shall, out of the said Fund, apply or contribute a sufficient Sum in such Manner as may by the said intended Act or Acts be provided, in the Purchase of a Site for new Schools for the said Parish, in some suitable Place within the said Parish, and shall expend the Residue of the said Fund in erecting and building such new Schools for the said Parish, and in supplying and furnishing the same with suitable Fixtures and Fittings.

3. On Payment of the First Instalment of the said Purchase Money the said Schools and Hereditaments firstly herein-before mentioned shall be absolutely conveyed to or vested in Her Majesty, subject only to a Lien for the Residue of the Purchase Money: Nevertheless the said Governors shall be entitled to the Use thereof, without paying any Rent or any Interest on the Purchase Money, until the 1st Day of October 1868, or such other Day as the Secretary of State for the Home Department may at any Time, not less than Three Calendar Months before the said 1st Day of October 1868, fix, by Writing under his Hand, such Day nevertheless not to be later than the 31st Day of December 1869, or One Year after the Payment of the last Instalment of the Purchase Money, whichever shall last happen.

4. This Agreement is only to take effect in the event of an Act or Acts being passed in the present Session of Parliament giving the necessary Powers for carrying it into execution, either with or without Modifications, and also enabling the Governors or other proper Persons to acquire compulsorily a Site within the said Parish for such new Schools as aforesaid.

5. The said First Commissioner will pay to the said Governors, or as they shall appoint, all their Costs, Charges, and Expenses properly incurred or to be

incurred in surveying or valuing the School and Buildings hereby contracted to be sold; and the Costs and Expenses incurred or to be incurred in the Preparation of this Agreement, or in connexion therewith, and also their Costs, Charges, and Expenses (incurred or to be incurred) preparatory to and of and incident to obtaining the intended Act or Acts of Parliament hereinbefore mentioned, or procuring the Insertion of proper Clauses in such intended Act or Acts.

6. All Monies hereby agreed to be paid shall be payable only out of such Monies (if any) as may be voted by Parliament for that Purpose; and nothing herein shall in any Case create any personal Obligation on the said First Commissioner, or on the said Governors or any of them. Witness our Hands.

Signed by the Reverend William Gilson Humphry, in the Presence of
J. Dangerfield, 26, Craven Street.
W. G. HUMPHRY.

Signed by the said James Henderson Watherston, in the Presence of
Chas. Baxter, Clerk to Messrs. Dangerfield and Fraser, Solicitors, 26, Craven Street, Charing Cross.
J. H. WATHERSTON.

Signed by the said William Francis Cowper, in the Presence of
Alfred Austin, Secretary to Her Majesty's Office of Works.
W. F. COWPER.

No. 3.

Agreement for Purchase of the Site of Tenison's School.

ARTICLES of AGREEMENT made the 20th Day of April 1866 between the Right Honourable William Francis Cowper, First Commissioner of Her Majesty's Works and Public Buildings, of the one Part, and the Reverend William Gilson Humphry and Samuel Barton, Two of the Trustees of Archbishop Tenison's School in the Parish of St. Martin-in-the-Fields in the County of Middlesex, for and on behalf of themselves and all the other Trustees, of the other Part.

It is agreed as follows:

1. The First Commissioner shall purchase, and the Trustees shall sell, for the Sum of 8,445*l.* all that the present Archbishop Tenison's School, with the Buildings, Yards, and Appurtenances thereto belonging, coloured Brown on the Plan drawn in the Margin hereof, with such Parts of the Streets and Ways abutting thereon as belong thereto, the same to be vested in Her Majesty for the Purpose of enlarging the National Gallery, or for other Purposes of public Utility.

2. The said Sum of 8,445*l.* (to be called "The Tenison School Fund") shall be paid to the Trustees of the said Archbishop Tenison's School in the following Instalments; viz., the Sum of 5,630*l.*, being Two Third Parts thereof, within One Calendar Month after the intended Act or Acts herein-after mentioned

tioned shall have been passed, and the Sum of 2,815*l.*, being the remaining Third Part, on the 1st Day of August 1867; and a sufficient Part thereof shall be applied or contributed by them in such Manner as may by the said intended Act or Acts be provided in the Purchase of a Site for a new School for Archbishop Tenison's Charity, and for all requisite Dwellings, Buildings, Yards, and Appurtenances to be annexed thereto, in some suitable Place within the said Parish; and the Residue of the said Tenison School Fund shall be applied by the said Trustees in erecting and building such new School, Dwellings, Buildings, and Appurtenances, and in supplying the same with Fittings and Things necessary for the Purposes of a School and Residence for the Master thereof.

3. On Payment of the First Instalment of the said Purchase Money the said School and Hereditaments firstly herein-before mentioned shall be absolutely conveyed to or vested in Her Majesty, subject only to a Lien for the Residue of the Purchase Money: Nevertheless the said Trustees shall be entitled to the Use thereof, without paying any Rent or any Interest on the Purchase Money, until the 1st Day of October 1868, or such other Day as the Secretary of State for the Home Department may at any Time, not less than Three Calendar Months before the said 1st Day of October 1868, fix, by Writing under his Hand, such Day nevertheless not to be later than the 31st Day of December 1869, or One Year after the Payment of the last Instalment of the Purchase Money, whichever shall last happen.

4. This Agreement is only to take effect in the event of an Act or Acts being passed in the present Session of Parliament giving the necessary Powers for carrying it into execution, either with or without Modifications, and also enabling the said Trustees or other proper Persons to acquire compulsorily a Site for such new School as aforesaid.

5. The said First Commissioner will pay to the said Trustees, or as they shall appoint, their Costs, Charges, and Expenses properly incurred or to be incurred in surveying and valuing the School and Buildings hereby contracted to be sold, and the Costs and Expenses incurred or to be incurred in the Preparation of this Agreement or in connexion therewith, and also their Costs, Charges, and Expenses (incurred or to be incurred) preparatory to and of and incident to obtaining the intended Act or Acts of Parliament, herein-before mentioned, or procuring the Insertion of proper Clauses in such intended Act or Acts.

6. All Monies hereby agreed to be paid shall be payable only out of such Monies (if any) as may be voted by Parliament for that Purpose, and nothing herein shall in any Case create any personal Obligation on the said First Commissioner, or on the said Trustees or any of them. Witness our Hands.

Signed by the Reverend William Gilson Humphry and Samuel Barton, in the Presence of
J. Dangerfield, 26, Craven Street.

W. G. HUMPHRY.
SAMUEL BARTON.

Signed by the said William Francis Cowper, in the presence of
Alfred Austin, Secretary to Her Majesty's Office of Works.

W. F. COWPER.

The SECOND SCHEDULE above referred to.

Particulars of the Leases to which the Crown Property is subject

Names of Lessees.	Premises.	No.	Annual Rent.			Date of Lease.	Term.	Expiration of Lease.
			£	s.	d.			
James Haward	A Message on the West Side of St. Martin's Place	1	37	0	0	17th April 1832	99 Years	5th April 1930.
James Haward	Ditto	2	34	0	0	16th April 1832	99 Years	5th April 1930.
William Thomas Nixon	Ditto	3	47	0	0	16th April 1832	99 Years	5th April 1930.
Baron Dover, Rev. George Richards, D.D., and William Jacob	Ditto	4	110	5	0	6th August 1831	99 Years	10th October 1929.
Duke of Somerset, Marquis of Camden, Earl Spencer, Earl Clarendon, Earl of Hardwicke, and Lord Dynevor (the Trustees of the Provident Institution for Savings established at St. Martin's Place)	Ditto	5	189	0	0	17th April 1832	99 Years	5th July 1929.

National Gallery Enlargement.

A

BILL

To provide for the Acquisition of a Site for the Enlargement of the National Gallery.

(Prepared and brought in by
Mr. William Cowper and Mr. Childers.)

Ordered, by The House of Commons, *to be Printed,*
27 *April* 1866.

[Bill 124.]

Under 2 oz.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Provide for the Acquisition of a Site for the Enlargement of the National Gallery.

WHEREAS it is expedient that the National Gallery in Trafalgar Square in the City of Westminster should be enlarged and improved, and that for the Purpose of such Enlargement and Improvement the additional Lands described and shown in the Plans herein-after mentioned should be acquired and appropriated in manner herein-after mentioned, but such Acquisition and Appropriation cannot be effected without the Authority of Parliament: And whereas duplicate Plans describing the Situation of the said Lands (herein-after referred to as the prescribed Lands), with a Book of Reference thereto, containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers thereof, have been deposited with the Clerk of the Peace for the County of Middlesex at his Office at the Sessions House, Clerkenwell, in the said County, and with the Vestry Clerk of the Parish of Saint Martin-in-the-Fields, at his Office: And whereas Parts of the prescribed Lands are now the Site of the Workhouse for the Parish of Saint Martin-in-the-Fields, and other Parts thereof are now the Site of the Parochial Schools of the said Parish, and other Parts thereof are now the Site of the School founded by Archbishop Preamble.

Tenison, and other Parts thereof belong to and are now vested in Her Majesty as Part of the Hereditary Land Revenues of the Crown, subject only to the existing Leases and Tenancies thereof, which Leesas and Tenancies are specified in the Second Schedule to this Act annexed: And whereas a Provisional Agreement, a Copy whereof is contained in the First Schedule to this Act annexed, has, with the Consent of the Lords Commissioners of Her Majesty's Treasury, been entered into by the First Commissioner of Her Majesty's Works and Public Buildings, with the Guardians of the Poor of the said Parish: And whereas it is expedient that the said Agreement should be confirmed, and that the Arrangements thereby contemplated should be carried into effect by means of the Provisions contained in this Act: And whereas it is supposed that under and by virtue of an Act of the First Year of Queen Anne, intituled "An Act for the better improving a "certain Piece of Ground in the Parish of Saint Martin-in-the-"Fields, for the Use of the Poor, and for other the Purposes therein "mentioned," and an Act of the Tenth Year of King George the Third, intituled "An Act for building a Workhouse in the "Parish of Saint Martin-in-the-Fields within the Liberty of West-"minster in the County of Middlesex," the former of which Acts contains Recitals of Letters Patent of King James the First and King Charles the First, the legal Estate in such of the prescribed Lands as are comprised in the said Agreement or some Part thereof was and is vested in the Vicar and Churchwardens of the said Parish, as incorporated by the former of the said Two Acts, but only in trust for the said Parish and for the Trustees of the said Archbishop Tenison's Charity respectively: And whereas it appears from the said Acts and the said Letters Patent that the prescribed Lands, or Parts thereof, form Part of a Piece of Ground formerly granted by King James the First for a Churchyard for the said Parish, but no Part of the prescribed Lands has within the Memory of living Man been used as a Churchyard, and it is expedient that any Doubt as to the Uses to which the said Land is subject should be removed by express Enactment: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Purposes of the Act.

1. The Purposes of this Act are the Acquisition and Appropriation of additional Lands for the Enlargement and Improvement of the National Gallery aforesaid, and the constructing and doing such Works and Things as are conducive to the Attainment of the above Purposes or any of them, or incidental thereto.

2. The

CLAUSE A.

Confirmation of Agreement.

2. The said Agreement set forth in the First Schedule to this Act is hereby confirmed, subject to the Modifications thereof in this Act contained.

Commissioners of Her Majesty's Works, as incorporated, to carry the Act into effect.

3. The Commissioners of Her Majesty's Works and Public Buildings, as incorporated by the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Twenty-eight, and who are herein-after referred to as the Commissioners, shall have the Charge of carrying this Act into effect, but all the prescribed Lands, as and when they shall be acquired for or become appropriated to the Purposes of this Act shall be conveyed to or shall become or remain vested in Her Majesty, Her Heirs or Successors, for the Purposes of this Act, or for such other Purposes of public Utility as may be sanctioned by Parliament: Nevertheless any Parts of the prescribed Lands which may not be required for the Purposes of this Act may be sold and disposed of by the Commissioners in manner by the said Act of the Fifteenth and Sixteenth Years of Her Majesty authorized and prescribed, and the Commissioners in such Case shall have Power to convey all the Estate and Interest of Her Majesty, Her Heirs or Successors, in the Land so sold or disposed of.

No Part of prescribed Lands to be a Churchyard.

4. It is hereby declared, That no Part of the prescribed Lands is or shall be a Churchyard: Neverthelsss, if the Commissioners shall, in the Execution of the Works authorized by this Act, discover any Human Remains, Monuments, or Tombstones, they shall decently remove and dispose of the same in such Manner as the Bishop of London for the Time being shall direct.

Value of the Crown Property to be ascertained by a Surveyor to be appointed by the Lords of the Treasury, and the Amount to be paid to Commissioners of Woods.

5. The Value of the Estate and Interest of Her Majesty in such of the prescribed Lands as are now vested in Her Majesty as Part of the Hereditary Land Revenues of the Crown as aforesaid, together with the Amount of the Damage which will be caused to the Property of Her Majesty adjoining the prescribed Lands on the West Side thereof by the stopping up of the Streets and Passages by this Act authorized to be stopped up, shall forthwith be ascertained by a Surveyor to be appointed by the Lords Commissioners of Her Majesty's Treasury for that Purpose, *and the Sum awarded by such Surveyor shall be paid by the Commissioners out of any Monies which have been or may be placed at their Disposal by Parliament for that Object to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, to be by them applied to the same Purposes as Monies arising from the Sale of Estates belonging to the Crown are directed to be applied by the Act of the Tenth Year of King George the Fourth, Chapter Fifty,* and *from and after such*

Payment such of the prescribed Lands as are now vested in Her Majesty as aforesaid shall cease to be Part of the Hereditary Land Revenues of the Crown, but shall remain vested in Her Majesty, Her Heirs and Successors, for the Purposes in this Act mentioned.

Payment and Apportionment of Rents of Crown Property.

6. The Rents in arrear at the passing of this Act, and the Rents which shall accrue due down to and inclusive of the First quarterly or half-yearly Day of Payment which shall happen after the Payment to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues of the Sum to be awarded as herein-before mentioned in respect of all those Parts of the prescribed Lands which now belong to Her Majesty as aforesaid, shall be received by the last-mentioned Commissioners, who shall pay to the said Commissioners of Her Majesty's Works and Public Buildings an apportioned Part of such Rents, when received, in respect of the Time between the Payment of the aforesaid Sum and the next quarterly or half-yearly Day of Payment; and after such quarterly or half-yearly Day of Payment as shall happen next after the Payment of the Sum aforesaid the said Rents shall be received by the said Commissioners of Her Majesty's Works and Public Buildings.

Payment of Purchase Money to Guardians of the Poor, at the Times and in manner mentioned in the Agreement contained in the First Schedule.

7. The Commissioners shall, *out of any Monies which have been or may be placed at their Disposal by Parliament for that Object*, pay to the Guardians of the Poor of the said Parish the several Sums mentioned in the said Agreement contained in the said First Schedule hereto, at the Times and in manner in the same Agreement mentioned.

On Payment of First Instalment mentioned in the said Agreement, Lands to vest in Her Majesty for the Purposes of the Act.

8. On Payment by the Commissioners, *out of such Monies as aforesaid*, of the First Instalment or Sum of Twenty-two thousand three hundred and thirty-three Pounds Six Shillings and Eightpence, mentioned in the said Agreement, all the Buildings, Land, and Hereditaments in the same Agreement mentioned shall become and remain vested in Her Majesty, Her Heirs and Successors, for the Purposes in this Act mentioned, for all the Estate and Interest therein of the Guardians of the Poor of the said Parish, or of the Vicar and Churchwardens of the said Parish, subject nevertheless to such Lien and to such Right of Occupation as in the same Agreement are mentioned; and it is hereby declared that such Right of Occupation shall absolutely cease at the Expiration of the Time fixed or to be fixed by or according to the said Agreement, whether there shall then be a new Workhouse duly provided for the said Parish or not.

Monies payable to the Guardians of the Poor to be paid into the Bank of England.

9. All Monies payable under this Act to the Guardians of the Poor of the said Parish shall be paid into the Bank of England to the Account of "The Guardians of the Poor of the Parish of Saint Martin-in-the-Fields in the County of Middlesex."

Purchase of Remainder of prescribed Lands.

10. The Commissioners may, *out of any Monies which have been or may be placed at their Disposal by Parliament for that Object,* purchase, acquire, take, and use, for the Purposes of this Act, all or any Part of the Remainder of the prescribed Lands (if any), or any Estate or Interest in any of the prescribed Lands.

CLAUSE B.
St. Martin-in-the-Fields and Archbishop Tenison's Schools not to be taken without Consent.

11. Notwithstanding anything in this Act or in the Acts incorporated herewith contained, it shall not be lawful for the Commissioners to take or use for the Purposes of this Act the Parochial Schools of the said Parish, or the School founded by Archbishop Tenison as aforesaid, otherwise than by Agreement.

Commissioners may enter to survey or value.

12. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purposes of surveying or valuing the same.

Incorporation of Lands Clauses Consolidation Acts, with certain Exceptions.

13. The Lands Clauses Consolidation Acts of 1845 and 1860 shall be incorporated with this Act, with the Exceptions and Additions and subject to the Provisions herein-after contained; (that is to say,)

1. There shall not be incorporated with this Act the Provisions in Section 16 of the Act of 1845, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; or the Provisions relating to affording Access to the Special Act.
2. In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the Special Act, and the Commissioners shall be deemed to be "The Promoters of the Undertaking."
3. The Bond required by Section 85 of the Act of 1845 shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.
4. The Term "Sheriff" used in the Provisions of the Act of 1845, relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of Westminster, or his Deputy.

Extinction of Rights of Way and other Easements.

14. Upon the Purchase or Acquisition for the Purposes of this Act of the prescribed Lands or any Part thereof (save as hereinafter provided), all Rights of Way, Rights of laying down or of continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Land or Part thereof shall be extinguished, and all the Soil of such Ways, and the Property in the Pipes, Sewers, or Drains, shall vest or continue vested in Her Majesty, subject to this Provision that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said Land Clauses Consolidation Act, 1845; and for the Purposes of this Section Duke's Court and the Passage through the East Wing of the National Gallery shall be deemed to be acquired or be vested for the Purposes of this Act at the same Time as the Workhouse and Hereditaments comprised in the said First Agreement.

Limit for compulsory Purchases.

15. The Limit for the compulsory Purchase of Lands under this Act shall be Five Years.

Commissioners may acquire Lands by Agreement for the Purposes of the Act.

16. The Commissioners may, for the Purpose of enlarging or improving the National Gallery, acquire by Purchase or otherwise any Lands, or Interest in Lands or Easements, and for the Purposes of such Acquisition the said Lands Clauses Consolidation Acts shall be deemed to apply, with the Exception of so much thereof as relates to the Purchase of Lands otherwise than by Agreement.

Powers to Commissioners to execute Works.

17. The Commissioners may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such Buildings and Works, and do all such other Things as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act or any of them.

As to Rights of Metropolitan Board of Works.

18. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Buildings exempt from 18 & 19 Vict. c. 122.

19. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

20. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any Vendor, or any Purchaser from the Commissioners, to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet.

No Purchase to be made without the Authority of the Treasury.

21. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners.

Authentication of Notices.

22. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid, and shall be binding on the Commissioners, as if the same had been under their Corporate Seal.

Contracts made by First Commissioner of Works to be valid.

23. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General, or the Deputy Paymaster General for the Time being, or other Officer acting for Paymaster General, whose Receipt, unstamped, shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer, Bills if the Commissioners shall so direct.

Monies payable to the Commissioners, to be paid to Her Majesty's Paymaster General.

24. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of England with the Privity of the Accountant General of the Court of Chancery, under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made

Orders concerning Money paid into Court may be made at Chambers.

concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing Commissioners.

25. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Power vested in them under this Act, he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

26. No Deed, Bond, or other Instrument made by, to, or with the Commissioners for any of the Purposes of this Act shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

27. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to the Commissioners for the Purposes of this Act shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the Commissioners, and every such Conveyance, Assignment, or other Deed or Instrument, when so enrolled, shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Plan to be deposited in the Office of Works, and to be open for Inspection.

28. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

Short Title.

29. This Act may be cited for all Purposes as "The National Gallery Enlargement Act, 1866."

The

The FIRST SCHEDULE above referred to.

Agreement for Purchase of the Site of the Workhouse.

Articles of Agreement made the 20th Day of April 1866, between The Right Honourable William Francis Cowper, First Commissioner of Her Majesty's Works and Public Buildings, of the one Part, and the Guardians of the Poor of the Parish of St. Martin-in-the-Fields in the County of Middlesex of the other Part.

It is agreed as follows:

1. The First Commissioner shall purchase, and the Guardians shall sell, for the Sum of 67,000*l.*, all that the present Workhouse of the said Parish, with the Dwellings, Offices, Buildings, Yards, and Appurtenances thereto belonging, coloured Red on the Plan drawn in the Margin hereof, with such Parts of the Streets and Ways abutting thereon as belong thereto, to be vested in Her Majesty, for the Purpose of enlarging the National Gallery, or for other Purposes of public Utility.

2. The said Sum of 67,000*l.*, to be called "the Workhouse Fund," shall be paid to the Guardians of the said Parish for the Time being in the following Instalments; videlicet, the Sum of 22,333*l.* 6*s.* 8*d.*, being One Third thereof, within One Calendar Month after the intended Act or Acts herein-after mentioned shall have been passed, the Sum of 15,000*l.* on the 1st Day of January 1867, and the Remainder thereof, being 29,666*l.* 13*s.* 4*d.*, on the 1st Day of August 1867; to be applied by them in the first place in the Purchase of Sites for a new Workhouse for the said Parish in some suitable Place within or not within the said Parish, subject to the Direction of the Poor Law Board, and also an auxiliary Workhouse for Casual Poor and Cases of Emergency in some suitable Place within the said Parish, subject to such Direction as aforesaid; and in the next place in building, fitting up, and completing such new Workhouse, and auxiliary Workhouse and in supplying and furnishing the same with suitable Fixtures and Fittings; and the Surplus, if any, shall be invested, under the Direction of the Poor Law Board, at Interest, which Interest shall be applied in Relief of the Poor Rates of the said Parish, subject nevertheless to the Provisions of the intended Act or Acts of Parliament herein-after mentioned.

3. On Payment of the First Instalment of the said Purchase Money the said Workhouse and Hereditaments firstly herein-before mentioned shall be absolutely conveyed to or vested in Her Majesty, subject only to a Lien for the Residue of the Purchase Money: Nevertheless the Guardians shall be entitled to the Use thereof, without paying any Rent or any Interest on the Purchase Money, until the 1st Day of October 1868, or such other Day as the Secretary

of State for the Home Department may at any Time, not less than Three Calendar Months before the said 1st Day of October 1868, fix, by Writing under his Hand, such Day nevertheless not to be later than the 31st Day of December 1869, or One Year after the Payment of the last Instalment of the Purchase Money, whichever shall last happen.

4. This Agreement is only to take effect in the event of an Act or Acts being passed in the present Session of Parliament giving the necessary Powers for carrying it into execution, either with or without Modifications, and also enabling the said Guardians, or other proper Persons for the Time being, to purchase by Agreement a Site for such new Workhouse as aforesaid, and to acquire compulsorily a Site within the said Parish for such auxiliary Workhouse as aforesaid.

5. The said First Commissioner will pay to the said Guardians for the Time being, or as they shall appoint, all their Costs, Charges, and Expenses properly incurred or to be incurred in surveying and valuing the Workhouse and Premises hereby contracted to be sold; and the Costs and Expenses incurred and to be incurred in the Preparation of this Agreement, or in connexion therewith, and also their Costs, Charges, and Expenses (incurred or to be incurred) preparatory to and of and incident to obtaining the intended Act or Acts of Parliament herein-before mentioned, or procuring the Insertion of proper Clauses in such intended Act or Acts.

6. All Monies hereby agreed to be paid shall be payable only out of such Monies (if any) as may be voted by Parliament for that Purpose, and nothing herein shall in any Case create any personal Obligation on the said First Commissioner or on the said Guardians, any or either of them.

Witness the Hand of the said William Francis Cowper and the Corporate Seal of the said Guardians.

Signed by the said William Francis Cowper,
in the Presence of
Alfred Austin,
Secretary to Her Majesty's Office of Works.

Corporate
Seal of the
Guardians.

W. F. COWPER.

The SECOND SCHEDULE above referred to.

Particulars of the Leases to which the Crown Property is subject.

Names of Lessees.	Premises.	No.	Annual Rent.			Date of Lease.	Term.	Expiration of Lease.
			£	s.	d.			
James Haward	A Messuage on the West Side of St. Martin's Place	1	37	0	0	17th April 1832	99 Years	5th April 1930.
James Haward	Ditto	2	34	0	0	16th April 1832	99 Years	5th April 1930.
William Thomas Nixon	Ditto	3	47	2	6	16th April 1832	99 Years	5th April 1930.
Baron Dover, Rev. George Richards, D.D., and William Jacob	Ditto	4	110	5	0	6th August 1831	99 Years	10th October 1929.
Duke of Somerset, Marquis of Camden, Earl Spencer, Earl Clarendon, Earl of Hardwicke, and Lord Dynevor (the Trustees of the Provident Institution for Savings established at St. Martin's Place)	Ditto	5	189	0	0	17th April 1832	99 Years	5th July 1929.

National Gallery Enlargement.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To provide for the Acquisition of a Site for the Enlargement of the National Gallery.

(Prepared and brought in by
Mr. William Cowper and Mr. Childers.)

Ordered, by The House of Commons, *to be Printed,*
5 *June* 1866.

[Bill 177.]

Under 2 oz.

Naval Discipline Bill.

ARRANGEMENT OF CLAUSES.

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Articles of War.

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2. Penalty for Misconduct in Action.
3. Penalty for not pursuing the Enemy and of not assisting a Friend in View.
4. Penalty for delaying or discouraging the Service, or deserting his Post, &c.
5. Penalty for Misconduct of Subordinate Officers and Men in Action.

Communications with the Enemy.

6. Penalty for Spies.
7. Penalty for corresponding, &c. with the Enemy.
8. Penalty for improper Communication with the Enemy.

Neglect of Duty.

9. Penalty for abandoning Post, &c.

Mutiny.

10. Penalty for Mutiny accompanied by Acts of Violence.
11. Penalty for Mutiny not accompanied by Acts of Violence.
12. Penalty for inciting to Mutiny.
13. Penalty for Civilians endeavouring to seduce from Allegiance.

CLAUSES.

14. Penalty for making mutinous Assemblies or uttering seditious Words.

15. Penalty for concealing any traitorous or mutinous Practice, Design, or Words.

16. Punishment for striking or attempting to strike, &c. superior Officer.

Insubordination.

17. Penalty for Disobedience or using threatening Language to superior Officer.

18. Penalty for quarrelling, &c., or using reproachful Speech or Gestures.

Desertion and Absence without Leave.

19. Penalty for Desertion.

20. Penalty for inducing any Person to desert.

21. Penalty for entertaining a Deserter.

22. Punishment for breaking out of Ship.

23. Penalty for Absence without Leave.

24. Forfeiture of Effects for Absence without Leave.

25. Penalty for assisting, &c. Desertion.

26. Penalty for persuading to Desertion, &c.

Miscellaneous Offences.

27. Penalty for profane Swearing and other Immoralities.

28. Penalty on Officer for Cruelty or Oppression.

29. Penalty for suffering Ships to be improperly lost.

30. Penalty for not taking care of and defending Ships under Convoy.

31. Master of Merchant Vessel to obey Orders of convoying Officer.

32. Penalty for taking any Goods on board other than for the Use of the Vessel except Gold, Silver, Jewels, &c.

33. Penalty for embezzling Public Stores.

34. Penalty for burning any Magazine or Vessel, &c. not belonging to an Enemy.

35. Penalty for making or signing false Musters.

36. Penalty for Misconduct in Hospital.

37. Penalty

CLAUSES.
37. Penalty for endeavouring to stir up any Disturbance on account of Unwholesomeness of the Victuals or other just Grounds.
38. Penalty for Offences against Naval Discipline not particularly mentioned.
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40. Penalty for not sending to the Court of Admiralty all Papers found aboard Prize Ships.
41. Penalty for taking Money or other Effects out of any Prize before the same shall be condemned.
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45. Penalty for Offences punishable by ordinary Law.
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58. Constitution of Courts-martial.

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93. Crews of Ships lost or destroyed.
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SCHEDULE.

A

BILL

TO

Make Provision for the Discipline of the Navy.

[*This Bill is a Reprint of the existing Naval Discipline Act* (27 *&* 28 *Vict. c.* 119.), *with some Amendments, which are shown thus:—Words inserted are in Italics: Words omitted are struck through.*

A few formal Alterations necessarily made in Parts VI. and VII. are not shown in the Print.]

WHEREAS it is expedient to amend the Law relating to the Government of the Navy, whereon, under the good Providence of God, the Wealth, Safety, and Strength of the Kingdom chiefly depend:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PART I.

ARTICLES OF WAR.

Public Worship.

Public Worship to be performed.

1. All Officers in Command of Her Majesty's Ships of War shall cause the Public Worship of Almighty God according to the Liturgy of the Church of England established by Law to be solemnly, orderly, and reverently performed in their respective Ships, and shall take care that Prayers and Preaching, by the Chaplains in Holy Orders of the respective Ships, be performed diligently, and that the Lord's Day be observed according to Law.

Misconduct in the Presence of the Enemy.

Penalty for Misconduct in Action.

2. Every Flag Officer, Captain, Commander or Officer commanding subject to this Act who upon Signal of Battle, or on Sight of a Ship of an Enemy which it may be his Duty to engage, shall not,

(1.) Use his utmost Exertion to bring his Ship into Action;
(2.) Or shall not during such Action, in his own Person and according to his Rank, encourage his inferior Officers and Men to fight courageously;
(3.) Or who shall surrender his Ship to the Enemy when capable of making a successful Defence, or who in Time of Action shall improperly withdraw from the Fight,

shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or be imprisoned, and be also dismissed with Disgrace from Her Majesty's Service; and if he has acted from Negligence, or through other Default, he shall be dismissed from Her Majesty's Service, with or without Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for not pursuing the Enemy and of not assisting a Friend in View.

3. Every Officer subject to this Act who shall forbear to pursue the Chase of any Enemy, Pirate, or Rebel, beaten or flying, or shall not relieve and assist a known Friend in View to the utmost of his Power, or who shall improperly forsake his Station, shall, if he has therein acted traitorously, suffer Death; if he has acted from Cowardice, suffer Death or such other Punishment as is herein-after mentioned; if he has acted from Negligence, or through other Default, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for delaying or discouraging the Service, or deserting his Post, &c.

4. When any Action or any Service is commanded, every Person subject to this Act who shall presume to delay or discourage the said Action or Service upon any Pretence whatsoever, or in the Presence or Vicinity of the Enemy shall desert his Post or sleep upon his Watch, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for Misconduct of Subordinate Officers

5. Every Person subject to this Act, and not being a Commanding Officer, who shall not use his utmost Exertions to carry the Orders of his Superior Officers into execution when ordered to prepare for Action, or during the Action, shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or such other Punishment as is herein-after mentioned; and if he has acted from Negligence, or through other Default, be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

and Men in Action.

Communications with the Enemy.

Penalty for Spies.

6. All Spies for the Enemy shall be deemed to be Persons subject to this Act, and shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for corresponding, &c. with the Enemy.

7. Every Person subject to this Act who shall traitorously hold—

(1.) Correspondence with or shall give Intelligence to the Enemy;

(2.) Or fail to make known to the proper Authorities any Information he may have received from the Enemy;

(3.) Or who shall relieve the Enemy with any Supplies,

shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for improper Communication with the Enemy.

8. Every Person subject to this Act who shall, without any treacherous Intention, hold any improper Communication with the Enemy, shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Neglect of Duty.

Penalty for abandoning Post, &c.

9. Every Person subject to this Act who shall desert his Post or sleep upon his Watch, or negligently perform the Duty imposed on him, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Mutiny.

Penalty for Mutiny accompanied by Acts of Violence.

10. Where Mutiny is accompanied by Violence, every Person subject to this Act who shall join therein shall suffer Death, or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall not use his utmost Exertions to suppress such Mutiny shall, if he has acted traitorously, suffer Death, or such other Punishment as is herein-after mentioned; if he has acted from Cowardice, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned; if he has acted from Negligence he shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Mutiny not accompanied by Acts of Violence.

11. Where a Mutiny is not accompanied by Violence, the Ringleader or Ringleaders of such Mutiny shall suffer Death, or such other Punishment as is herein-after mentioned; and all other Persons who shall join in such Mutiny, or shall not use their utmost Exertions to suppress the same, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for inciting to Mutiny.

12. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act from his Duty or Allegiance to Her Majesty, or endeavour to incite him to commit any Act of Mutiny, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for Civilians endeavouring to seduce from Allegiance.

13. Every Person, not otherwise subject to this Act, who, being on board any Ship of Her Majesty, shall endeavour to seduce from his Duty or Allegiance to Her Majesty any Person subject to this Act, shall so far as respects such Offence be deemed to be a Person subject to this Act, and shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making mutinous Assemblies or uttering seditious Words.

14. Every Person subject to this Act who shall make or endeavour to make any mutinous Assembly, or shall lead or incite any other Person to join in any mutinous Assembly, or shall utter any Words of Sedition or Mutiny, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Penalty for concealing any traitorous or mutinous Practice, Design, or Words.

15. Every Person subject to this Act who shall wilfully conceal any traitorous or mutinous Practice or Design, or any traitorous or mutinous Words spoken against Her Majesty, or any Words, Practice, or Design tending to the Hindrance of the Service, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Punishment for striking or attempting to strike, &c. superior Officer.

16. Every Person subject to this Act who shall strike, or with any Weapon attempt to strike, or draw or lift up any Weapon against his superior Officer being in the Execution of his Office, shall be punished with Death or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall, otherwise than with a Weapon, attempt to strike or use or attempt to use any Violence against his superior Officer being in the Execution of his Office, shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall strike or attempt to strike, or draw or lift up any Weapon against, or use or attempt to use any Violence against his superior Officer not being in the Execution of his Office, shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned.

Insubordination.

17. Every Person *subject to this Act* who shall wilfully disobey any lawful Command of his superior Officer, or shall use threatening or insulting Language, or behave with Contempt to his superior Officer, shall be punished with Dismissal from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Disobedience or using threatening Language to superior Officer.

18. Every Person subject to this Act who shall quarrel or fight with any other Person, whether such other Person be or be not subject to this Act, or shall use reproachful or provoking Speeches or Gestures tending to make any Quarrel or Disturbance, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for quarrelling, &c., or using reproachful Speech or Gestures.

Desertion and Absence without Leave.

19. Every Person subject to this Act who shall ~~absent himself~~ *leave* ~~from~~ his Ship, or ~~from~~ the Place where his Duty requires him to be, ~~without any~~ *with an* Intention of *not* returning to such Ship or Place, or who shall at any Time and under any Circumstances when absent from his Ship *or Place of Duty*, do any Act which shows that he has ~~not any~~ *an* Intention of *not* returning to such Ship or Place, shall be deemed to have deserted, and shall be punished accordingly; that is to say,

Penalty for Desertion.

(1.) If he has deserted to the Enemy he shall be punished with Death or such other Punishment as is herein-after mentioned;

(2.) If he has deserted under any other Circumstances, he shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned;

and in every such Case he shall forfeit all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by him, and all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to him, and also all Clothes and Effects which he may have left on board the Ship or at the Place from which he has deserted, unless the Tribunal by which he is tried shall otherwise direct.

20. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act to desert shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for inducing any Person to desert.

Penalty for entertaining a Deserter.

21. Every Officer in Command of any Ship of Her Majesty who shall receive or entertain any Deserter from Her Majesty's Military or Naval Forces, after discovering him to be a Deserter, and shall not with all convenient Speed, in the Case of a Deserter from Her Majesty's Naval Forces, give Notice to the Commanding Officer of the Ship to which such Deserter belongs, or, if such Ship is at a Distance, to the Secretary of the Admiralty or to the Commander-in-Chief, or, in case of a Deserter from Her Majesty's Military Forces, give Notice to the Secretary of War, or the Commanding Officer of the Regiment to which such Deserter belongs, the Officer so offending shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Punishment for breaking out of Ship.

22. *If any Person subject to this Act (without being guilty of Desertion) improperly leaves his Ship or Place of Duty, he shall be liable to Imprisonment or to such other Punishment as is herein-after mentioned, and to such other Punishment by Forfeiture of Wages or of other Benefits as the Admiralty from Time to Time by Regulations prescribe.*

Penalty for Absence without Leave.

23. Every Person subject to this Act, who (*without being guilty of Desertion or of improperly leaving his Ship or Place of Duty*), shall be absent without Leave, shall be liable to Imprisonment for any Period not exceeding Ten Weeks, with or without Hard Labour, or such other Punishment as the Circumstances of the Case may require, and *to such other Punishment by Forfeiture of Wages or of other Benefits as the Admiralty from Time to Time by Regulations prescribe,* ~~shall also forfeit out of his Wages a Sum not exceeding the Amount of Two Days Pay, exclusive of all Charges of Apprehension, and, in addition, for every Twenty-five Hours of Absence a Sum not exceeding Six Days Pay; and, so far only as relates to such Forfeiture of Wages, any Person may be deemed to be absent without Leave, notwithstanding his Absence may not have been voluntary, but may have been caused by Imprisonment preceding or consequent on Conviction for any Offence against the Law.~~

Forfeiture of Effects for Absence without Leave.

24. *If any Person subject to this Act is absent without Leave for a Period of One Month (whether he is guilty of Desertion or of improperly leaving his Ship or Place of Duty or not), but is not apprehended and tried for his Offence, the Admiralty, or on a Foreign Station, the Commander-in-Chief, may order that the Clothes and Effects (if any) left by him on board Ship or at his Place of Duty, be forfeited, and the same may be sold, and the Proceeds of the Sale shall be disposed of as the Admiralty or the Commander-in-Chief,* *in-Chief (as the Case may be) may direct; and every Order under this Provision for Forfeiture or Sale shall be conclusive as to the Fact of the Absence without Leave as therein stated of the Person therein named; but in any Case the Admiralty may, if it seems fit, on sufficient Cause being shown at any Time after Forfeiture and before Sale, remit the Forfeiture, or after Sale pay or dispose of the Proceeds of the Sale or any Part thereof to or for the use of the Person to whom the Clothes or Effects belonged.*

Penalty for assisting,&c. Desertion. [*See 10 & 11 Vict. c. 62. s. 11.*]

25. *If any Person not subject to this Act assists or procures any Person subject to this Act to desert or improperly absent himself from his Duty, or conceals, employs, or continues to employ any Person subject to this Act, who is a Deserter or improperly absent from his Duty, knowing him to be a Deserter or so improperly absent, he shall, for every such Offence of Assistance, Procurement, Concealment, Employment, or Continuance of Employment, be liable, on summary Conviction thereof before a Justice or Justices, to a Penalty not exceeding Thirty Pounds; and, notwithstanding anything in any Act relating to Municipal Corporations, or to the Metropolitan Police, or in any other Act, every such Penalty shall be applied as the Admiralty direct.*

Penalty for persuading to Desertion, &c. [*See 10 & 11 Vict. c. 62. s. 11.*]

26. *If any Person not subject to this Act by Words or otherwise persuades any Person subject to this Act to desert or improperly absent himself from his Duty, he shall for every such Offence be liable, on summary Conviction thereof before a Justice or Justices, to a Penalty not exceeding Twenty Pounds; and, notwithstanding anything in any Act relating to Municipal Corporations, or to the Metropolitan Police, or in any other Act, every such Penalty shall be applied as the Admiralty direct.*

Miscellaneous Offences.

Penalty for profane Swearing and other Immoralities.

27. Every Person subject to this Act, who shall be guilty of any profane Oath, Cursing, Execration, Drunkenness, Uncleanness, or other scandalous Action in derogation of God's Honour and Corruption of good Manners, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty on Officer for Cruelty or Oppression.

28. Every Officer subject to this Act who shall be guilty of Cruelty, or of any scandalous or fraudulent Conduct, shall be dismissed with Disgrace from Her Majesty's Service; and every Officer subject to this Act who shall be guilty of any other Conduct unbecoming the Character of an Officer shall be dismissed, with or without Disgrace, from Her Majesty's Service.

Penalty for suffering Ships to be improperly lost.

29. Every Person subject to this Act, who shall either designedly or negligently or by any Default lose, strand, or hazard, or suffer to be lost, stranded, or hazarded, any Ship of Her Majesty or in Her Majesty's Service, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for not taking care of and defending Ships under Convoy.

30. The Officers of all Ships of Her Majesty appointed for the Convoy and Protection of any Ships or Vessels shall diligently perform their Duty without Delay according to their Instructions in that Behalf; and every Officer who shall fail in his Duty in this respect, and shall not defend the Ships and Goods under his Convoy, without Deviation to any other Objects, or shall refuse to fight in their Defence if they are assailed, or shall cowardly abandon and expose the Ships in his Convoy to Hazard, or shall demand or exact any Money or other Reward from any Merchant or Master for convoying any Ships or Vessels intrusted to his Care, or shall misuse the Masters or Mariners thereof, shall make such Reparation in Damages to the Merchants, Owners, and others as the Court of Admiralty may adjudge, and also shall be punished criminally according to the Nature of his Offence, by Death or such other Punishment as is herein-after mentioned.

Master of Merchant Vessel to obey Orders of convoying Officer.

31. Every Master or other Officer in Command of any Merchant or other Vessel under the Convoy of any Ship of Her Majesty shall obey the Commanding Officer thereof in all Matters relating to the Nagivation or Security of the Convoy, and shall take such Precautions for avoiding the Enemy as may be directed by such Commanding Officer; and if he shall fail to obey such Directions, such Commanding Officer may compel Obedience by Force of Arms, without being liable for any Loss of Life or of Property that may result from his using such Force.

Penalty for taking any Goods on board other than for the Use of the Vessel except Gold, Silver, Jewels, &c.

32. Every Officer in Command of any of Her Majesty's Ships who shall receive on board, or permit to be received on board such Ship any Goods or Merchandises whatsoever, other than for the sole Use of the Ship, except Gold, Silver, or Jewels, and except the Goods and Merchandise belonging to any Merchant, or on board any Ship which may be shipwrecked or in imminent Danger either on the High Seas or in some Port, Creek, or Harbour, for the Purpose of preserving them for their proper Owners, or except such Goods or Merchandise as he may at any Time be ordered to take or receive on board by Order of the Admiralty, shall be dismissed from Her Majesty's Service, or suffer such other Punishment as is herein-after mentioned.

Penalty for embezzling Public Stores.

33. Every Person subject to this Act who shall wastefully expend, embezzle, or fraudulently buy, sell, or receive any Ammunition, Provisions, or other Public Stores, and every Person subject to this Act, who shall knowingly permit any such wasteful Expenditure, Embezzlement, Sale, or Receipt, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for burning any Magazine or Vessel, &c. not belonging to an Enemy.

34. Every Person subject to this Act, who shall unlawfully set fire to any Dockyard, Victualling Yard, or Steam Factory Yard, Arsenal, Magazine, Building, Stores, or to any Ship, Vessel, Hoy, Barge, Boat, or other Craft or Furniture thereunto belonging, not being the Property of an Enemy, Pirate, or Rebel, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making or signing false Musters.

35. Every Person subject to this Act, who shall knowingly make or sign a false Muster or Record or other Official Document, or who shall command, counsel, or procure the making or signing thereof, or who shall aid or abet any other Person in the making or signing thereof, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Misconduct in Hospital.

36. Every Person subject to this Act who shall wilfully do any Act, or wilfully disobey any Orders, whether in Hospital or elsewhere, with Intent to produce or to aggravate any Disease or Infirmity, or to delay his Cure, or who shall feign any Disease, Infirmity, or Inability to perform his Duty, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for endeavouring to stir up any Disturbance on account of Unwholesomeness of the Victuals or other just Grounds.

37. Every Person subject to this Act who shall have any Cause of Complaint, either of the Unwholesomeness of the Victuals or upon any other just Ground, shall quietly make the same known to his Superior, or Captain, or Commander-in-Chief, and the said Superior, Captain, or Commander-in-Chief shall, as far as he is able, cause the same to be presently remedied; and no Person subject to this Act upon any Pretence whatever shall attempt to stir up any Disturbance, upon pain of such Punishment as a Court-martial may think fit to inflict, according to the Degree of Offence.

Penalty for Offences against Naval Discipline not particularly mentioned.

38. Every Person subject to this Act who shall be guilty of any Act, Disorder, or Neglect to the Prejudice of good Order and Naval Discipline, not herein-before specified, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Crimes to be punished according to Laws and Customs in use.

39. Any Person subject to this Act committing any Offence against this Act, such Offence not being punishable with Death or Penal Servitude, shall, save where this Act expressly otherwise provides, be proceeded against and punished according to the Laws and Customs in such Cases used at Sea.

Penalty for not sending to the Court of Admiralty all Papers found aboard Prize Ships.

40. All the Papers, Charter-parties, Bills of Lading, Passports, and other Writings whatsoever that shall be taken, seized, or found aboard any Ship or Ships which shall be taken as Prize shall be duly preserved, and the Commanding Officer of the Ship which shall take such Prize shall send the Originals entire and without Fraud to the Court of Admiralty, or such other Court or Commissioners as shall be authorized to determine whether such Prize be lawful Capture, there to be viewed, made use of, and proceeded upon according to Law, upon pain that every Person offending herein shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned, and in addition thereto shall forfeit and lose his Share of the Capture.

Penalty for taking Money or other Effects out of any Prize before the same shall be condemned.

41. No Person subject to this Act shall take out of any Prize or Ship seized for Prize any Money, Plate, or Goods, unless it shall be necessary for the better securing thereof, or for the necessary Use and Service of any of Her Majesty's Ships and Vessels of War, before the same be adjudged lawful Prize in some Admiralty Court; but the full and entire Account of the whole without Embezzlement shall be brought in, and Judgment passed entirely upon the whole, without Fraud, upon pain that every Person offending herein shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned, and in addition thereto forfeit and lose his Share of the Capture.

Penalty for stripping or ill-using Persons taken on board a Prize.

42. If any Ship or Vessel shall be taken as Prize, none of the Officers, Mariners, or other Persons on board her shall be stripped of their Clothes, or in any sort pillaged, beaten, or evil intreated, upon pain that the Person or Persons so offending shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty on Commanders capturing as Prize by Collusion, or collusively restoring Ships or Goods.

43. If the Commanding Officer of any of Her Majesty's Ships does any of the following Things, namely,

(1.) By Collusion with the Enemy takes as Prize any Vessel, Goods, or Thing;

(2.) Unlawfully agrees with any Person for the ransoming of any Vessel, Goods, or Thing taken as Prize; or

(3.) In pursuance of any unlawful Agreement for ransoming or otherwise by Collusion actually quits or restores any Vessel, Goods, or Thing taken as Prize;

he shall be liable to Dismissal from Her Majesty's Service, with Disgrace, or to such other Punishment as is herein-after mentioned.

Penalty for breaking Bulk on board Prize Ship with a View to Embezzlement.

44. If any Person subject to this Act breaks Bulk on board any Vessel taken as Prize, or detained in the Exercise of any Belligerent Right, or under any Act relating to Piracy or to the Slave Trade or to the Customs, with Intent to embezzle anything therein or belonging thereto, he shall be liable to Dismissal from Her Majesty's Service, with Disgrace, or to such other Punishment as is herein-after mentioned, and in addition thereto to forfeit and lose his Share of the Capture.

Offences punishable by ordinary Law.

Penalty for Offences punishable by ordinary Law.

45. Every Person subject to this Act who shall be guilty of ~~Murder shall suffer Death~~ :

~~If he shall be guilty of Manslaughter he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned~~ :

~~If he shall be guilty of Sodomy with Man or Beast he shall suffer Penal Servitude~~ :

~~If he shall be guilty of indecent Assaults he shall suffer Penal Servitude or such other Punishment as is herein-after mentioned~~ :

~~If he shall be guilty of Robbery or Theft he shall suffer Penal Servitude or such other Punishment as is herein-after mentioned~~ :

~~If he shall be guilty of~~ any ~~other~~ Criminal Offence which if committed in England would be punishable by the Law of England, ~~he~~ shall, whether the Offence be or be not committed in England, be punished either in pursuance of the First Part of this Act as *for* an Act to the Prejudice of good Order and Naval Discipline not otherwise specified, or ~~the Offender~~ shall be subject to the same Punishment as might be awarded by any ordinary Criminal Tribunal competent to try the Offender if the Offence had been committed in England.

Offences, when punishable.

46. For all Offences specified or referred to in this Act, if committed by any Person subject thereto in any Harbour, Haven, or Creek, or on any Lake or River, whether in or out of the United Kingdom, or anywhere within the Jurisdiction of the Admiralty, or at any Place on Shore out of the United Kingdom of Great Britain and Ireland, or in any of Her Majesty's Dockyards, Victualling Yards, Steam Factory Yards, or on any Gun Wharf, or in any Arsenal, Barrack, or Hospital belonging to Her Majesty, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act; and for all Offences herein-before specified under the Headings "Misconduct in the Presence of the Enemy," "Communications with the Enemy," "Neglect of Duty," "Mutiny," "Insubordination," "Desertion and Absence without Leave," or "Miscellaneous Offences," if committed by any Person subject to this Act at any Place on Shore, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act.

PART II.

GENERAL PROVISIONS.

Power of Court-martial to find Intent with which Offence committed.

47. Where the Amount of Punishment for any Offence under this Act depends upon the Intent with which it has been committed, and any Prisoner is charged with having committed such Offence with an Intent involving a greater Degree of Punishment, a Court-martial may find that the Offence was committed with an Intent involving a less Degree of Punishment, and award such Punishment accordingly.

Power of Court-martial to find Prisoner guilty of lesser Offence on Charge of greater.

48. Where any Prisoner shall be charged with Murder, a Court-martial may find him guilty of Manslaughter or of a Common Assault; where he shall be charged with Sodomy, a Court-martial may find him guilty of an indecent Assault; where he shall be charged with Theft, a Court-martial may find him guilty of an Attempt to thieve, or of Embezzlement, or of wrongful Appropriation of Property belonging to another; and generally where any Prisoner shall be charged with any Offence under this Act he may, upon Failure of Proof of the Commission of the greater Offence, be found guilty of another Offence of the same Class involving a less Degree of Punishment, but not of any Offence involving a greater Degree of Punishment.

Rebels and Mutineers to be deemed Enemies.

49. All armed Rebels, armed Mutineers, and Pirates, shall be deemed to be Enemies within the Meaning of this Act.

50. Every

Power to arrest Offenders.

50. Every Officer *having the Command of a Fleet or Squadron of Her Majesty's Ships, or* in Command of One of Her Majesty's Ships, *or the Senior Officer stationed at a Port,* may, by Warrant under his Hand, authorize any Person to arrest an Offender belonging to such *Fleet or Squadron or to any such* Ship for any Offence against this Act mentioned in such Warrant; *and any such Warrant may include the Names of more Persons than One in respect of several Offences of the same Nature; and any Person named in any such Warrant may forthwith, on his Apprehension, be taken on board the Ship to which he belongs, if the Warrant so directs;* and any Person so authorized may use Force, if necessary, for the Purpose of effecting such Apprehension, towards any Person subject to this Act.

Penalty for not assisting in Detection of Prisoners.

51. Every Person subject to this Act who shall not use his utmost Endeavours to detect, apprehend, and bring to Punishment all Offenders against this Act, and shall not assist the Officers appointed for that Purpose, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

PART III.

Regulations as to Punishments.

Punishments.

52. The following Punishments may be inflicted in Her Majesty's Navy:

(1.) Death:
(2.) Penal Servitude:
(3.) Dismissal with Disgrace from Her Majesty's Service:
(4.) Imprisonment or Corporal Punishment:
(5.) Dismissal from Her Majesty's Service:
(6.) Forfeiture of Seniority as an Officer for a specified Time, or otherwise:
(7.) Dismissal from the Ship to which the Offender belongs:
(8.) Severe Reprimand, or Reprimand:
(9.) Disrating a Subordinate or Petty Officer:
(10.) Forfeiture of Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations granted to the Offender, or of any One or more of the above Particulars; also, in the Case of Desertion, of all Clothes and Effects left by the Deserter on board the Ship to which he belongs:

(11.) Such minor Punishments as are now inflicted according to the Custom of the Navy, or may from Time to Time be allowed by the Admiralty:

And each of the above Punishments shall be deemed to be inferior in Degree to every Punishment preceding it in the above Scale.

Regulations as to Infliction of Punishments.

53. The following Regulations are hereby made with respect to the Infliction of Punishments in Her Majesty's Navy:

(1.) The Admiralty may, except in case of Sentence of Death, which shall only be remitted by Her Majesty, suspend, annul, or modify any Sentence passed on any Person subject to this Act, or substitute a Punishment inferior in Degree for the Punishment involved in any such Sentence, or remit the whole or any Portion of the Punishment involved in any such Sentence, or remit the whole or any Portion of any Punishment into which the Punishment involved in any such Sentence has been commuted, *and any Sentence so modified shall (subject to the Provisions of this Act) be valid, and shall be carried into Execution, as if it had been originally ~~passed, with~~ such Modification, by the Court-martial; but so that the Punishment involved in any Sentence be not increased by any such Modification:*

(2.) Judgment of Death shall not be passed on any Prisoner unless Four at least of the Officers present at the Court-martial, where the Number does not exceed Five, and in other Cases a Majority of not less than Two Thirds of the Officers present, concur in the Sentence:

(3.) *Except in case of Mutiny*, the Punishment of Death shall not be inflicted on any Prisoner until the Sentence has been confirmed by the Admiralty or by the Commander-in-Chief on a Foreign Station:

(4.) The Punishment of Penal Servitude may be inflicted for the Term of Life, or for any other Term of not less than ~~Three~~ *Five* Years:

(5.) The Punishment of Penal Servitude shall in all Cases involve Dismissal with Disgrace from Her Majesty's Service:

(6.) *A Sentence of* Dismissal with Disgrace shall involve in all Cases a Forfeiture of all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to the Offender, and an Incapacity to serve Her Majesty again in any Military, Naval, or Civil Service, and may also in all Cases be accompanied by a Sentence of Imprisonment, ~~with or without Solitary Confinement not exceeding the Periods, herein-after mentioned, and with or without Hard Labour for all or any Part of the Term of Imprisonment, and with or without Corporal Punishment.~~

(7.) The Punishment of Imprisonment may be inflicted for any Term not exceeding Two Years.:

~~It may be accompanied with a Direction that the Prisoner shall be kept in Solitary Confinement for any Period of such Term, not exceeding Fourteen Days at any One Time, and not exceeding Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than the Periods of Solitary Confinement; and when the Imprisonment awarded exceeds Eighty-four Days, the Solitary Confinement shall not exceed Seven Days in any Twenty-eight Days of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods~~

(8.) *A Sentence of Imprisonment shall involve the Punishment of Solitary Confinement, unless the Sentence directs that the Imprisonment be without Solitary Confinement :*

(9.) *The Punishment of Solitary Confinement shall not be inflicted for more than Eighty-four Days in the whole in One Year, or for more than Seven Days in any Twenty-eight Days where the Period of Imprisonment exceeds Eighty-four Days, or for a longer Period at One Time than Fourteen Days in any Case, or than Seven Days in case the total Number of Days of Solitary Confinement allowed under this Provision exceeds Twenty-eight; and in all Cases there shall be an Interval of not less than Seven Days between Two successive Periods of Solitary Confinement; and the foregoing Directions shall be carried into execution by the Authorities of the Prison in which the Prisoner is confined; and no Direction respecting the Duration or Periods of Solitary Confinement shall be given in the Sentence :*

(10.) ~~And the Punishment~~ *A Sentence* of Imprisonment may also be accompanied with a Direction that the Prisoner shall be kept to Hard Labour for all or any Part of the Term of Imprisonment, ~~or any such Direction may apply either to Solitary Confinement or Hard Labour only,~~ and Corporal Punishment may be awarded in addition to any Sentence of Imprisonment, whether such Imprisonment is or is not to be accompanied with Solitary Confinement and Hard Labour, or either of them:

(11.) *The Punishment of Imprisonment shall involve disrating in case of a Petty Officer and Reduction to the Ranks in case of a Non-commissioned Officer of Marines, and may in any Case be accompanied by Stoppage of Pay or Wages for such Time as the Admiralty by Regulations from Time to Time prescribe:*

(12.) In any Case of Corporal Punishment not more than Forty-eight Lashes shall be inflicted: No Officer shall be subject to Corporal Punishment: No Petty or Non-commissioned Officer shall be subject to Corporal Punishment, except in case of Mutiny:

All other Punishments authorized by this Act may be inflicted in the Manner heretofore in use in the Navy.

Limitation of Time as to Trials.

54. No Person, unless he be an Offender who has avoided Apprehension or fled from Justice, shall be tried or punished in pursuance of this Act for any Offence committed by him unless such Trial shall take place within Three Years from the Commission of such Offence, or within One Year after the Return of such Offender to the United Kingdom, where he has been absent from the United Kingdom during such Period of Three Years.

Scale of Punishment.

55. Subject to the foregoing Regulations, where any Punishment is specified by this Act as the Penalty for any Offence, and it is further declared that another Punishment may be awarded in respect of the same Offence, the Expression "other Punishment" shall be deemed to comprise any One or more of the Punishments inferior in Degree to the specified Punishment, according to the Scale herein-before mentioned; but Corporal Punishment shall be deemed equal in Degree to Imprisonment, and may in all Cases, subject to the foregoing Regulations, be inflicted as a Substitute for or in addition to Imprisonment.

Authorities having Power to try Offences.

56. Any Offence triable under this Act may be tried and punished by Court-martial; and any Offence triable under this Act, not committed by an Officer (except in the Cases by this Act expressly provided for), and not hereby made Capital, may, under such Regulations as the Admiralty may from Time to Time issue, be summarily tried and punished by the Officer in Command of the Ship to which such Offender belongs, subject to the following Restrictions; (that is to say,)

(1.) The Commanding Officer shall not have Power to award the Punishment of Penal Servitude:

(2.) The Commanding Officer shall not have Power to sentence ~~any Man, except a Deserter, or Man absent without Leave, to Imprisonment for a longer Period than Twenty-eight Days, nor to sentence~~ a Deserter to Imprisonment for a longer Period than Three Calendar Months, ~~nor a Man absent without Leave~~ *or to sentence any other Offender* to Imprisonment for a longer Period than Six Weeks, ~~nor~~ *or* to award Solitary Confinement for more than ~~Seven~~ *Ten* Days at a Time, with Intervals of not less than Seven Days between ~~each Period~~ *Two successive Periods* of Solitary Confinement:

(3.) Except in case of ~~open~~ Mutiny, no Man shall be sentenced by the Commanding Officer to Corporal Punishment until his Offence has been inquired into by One or more Officers appointed by such Commanding Officer, and his or their Opinion as to the Guilt or Innocence of the Prisoner reported to such Commanding Officer, and the Commanding Officer shall thereupon act as according to his Judgment may seem right.

Authorities empowered to impose Punishments to adhere to Provisions herein named.

57. With respect to the Authorities by whom certain Punishments may be imposed, the following Provisions shall take effect; namely,

(1.) With respect to any subordinate Officer, the Punishment of Forfeiture of Time or Seniority may be imposed as follows; namely, by the Admiralty for any Time not exceeding Twelve Months, by the Commander-in-Chief on a Foreign Station for any Time not exceeding Six Months, or by the Commanding Officer for any Time not exceeding Three Months:

(2.) With respect to any subordinate Officer, the Commander-in-Chief on a Foreign Station shall have Power to impose the Punishments numbered (7.), (8.), and (9.) in the Scale herein-before contained.

PART IV.

COURTS-MARTIAL.

Constitution of Courts-martial.

Constitution of Courts-martial.

58. The following Regulations are hereby made with respect to Courts-martial:

(1.) A Court-martial shall consist of not less than Five nor more than Nine Officers:

(2.) No Officer shall be qualified to sit as a Member of any Court-martial held in pursuance of this Act unless he be a Flag Officer, Captain, Commander, or Lieutenant of Her Majesty's Navy on Full Pay:

(3.) A Court-martial shall not be held unless at least Three of Her Majesty's Ships, not being Tenders, and commanded by Captains, Commanders, or Lieutenants of Her Majesty's Navy on Full Pay, are together at the Time when such Court-martial is held:

(4.) No Officer shall sit on a Court-martial who is under Twenty-one Years of Age:

(5.) No Court-martial for the Trial of a Flag Officer shall be duly constituted unless the President is a Flag Officer, and the other Officers composing the Court are of the Rank of Captain, or of higher Rank:

(6.) No Court-martial for the Trial of a Captain in Her Majesty's Navy shall be duly constituted unless the President is a Captain or of higher Rank, and the other Officers composing the Court are Commanders or Officers of higher Rank:

(7.) No Court-martial for the Trial of any Person below the Rank of Captain in Her Majesty's Navy shall be duly constituted, unless the President is a Captain or of higher Rank, nor unless in addition to the President there are Two other Members of the Court of the Rank of Commander or of higher Rank:

(8.) The Prosecutor shall not sit on any Court-martial for the Trial of a Prisoner whom he prosecutes:

(9.) The Admiralty shall have Power to order Courts-martial to be held for the Trial of Offences under this Act, and to grant Commissions to any Officer of Her Majesty's Navy on Full Pay authorizing him to order Courts-martial to be held for the Trial of such Offences:

(10.) An Officer holding a Commission from the Admiralty to order Courts-martial shall not be empowered to do so if there is present at the Place where such Court-martial is to be held any Officer superior in Rank to himself, on Full Pay and in command of One or more of Her Majesty's Ships or Vessels, although such last-mentioned Officer may not hold a Commission to order Courts-martial; and in such a Case such last-mentioned Officer may order a Court-martial, although he does not hold any Commission for the Purpose:

(11.) If any Officer holding a Commission from the Admiralty to order Courts-martial, having the Command of a Fleet or Squadron, and being in Foreign Parts, die, be recalled, leave his Station, or be removed from his Command, the Officer upon whom the Command of the Fleet or Squadron devolves, and so from Time to Time the Officer who shall have the Command of the Fleet or Squadron, shall, without any Commission from the Admiralty, have the same Power to order Courts-martial as the first-mentioned Officer was invested with:

(12.) If any Officer holding a Commission from the Admiralty to order Courts-martial, and having the Command of any Fleet or Squadron of Her Majesty's Ships in Foreign Parts shall detach any Part of such Fleet or Squadron, *or separate himself from any Part of such Fleet or Squadron,* he may, by Commission under his Hand, empower *in the first-mentioned Case,* the Commanding Officer of the Squadron or Detachment ordered on such separate Service, and in case of his Death, or ceasing so to command, the Officer to whom the Command of such separate Squadron or Detachment shall belong, *and in the secondly-mentioned Case the senior Officer of Her Majesty's Ships on the Division of the Station from which he is absent,* to order Courts-martial during the Time of such separate Service, *or during his Absence from that Division of the Station* (*as the Case may be*), ~~or~~ *and every such Authority shall continue in force* until such Authority shall be revoked, or until the Officer ~~commanding the Detachment~~ *holding that Authority* shall ~~come under the Command of another~~ *be in the Presence of a* superior Officer, *empowered to order Courts-martial in relation to the same Squadron, Detachment, or Division of a Station,* or shall return to the United Kingdom:

(13.) The Officer ordering a Court-martial shall not sit thereon :

(14.) The President of every Court-martial shall be named by the Authority ordering the same, or by any Officer empowered by such Authority to name the President :

(15.) No Commander or Lieutenant shall be required to sit as a Member of any Court-martial when Four Officers of a higher Rank and junior to the President can be assembled at the Place where the Court-martial is to be holden (but the Regularity or Validity of any Court-martial or of the Proceedings thereof shall not be affected by any Commander or Lieutenant being required to sit, or sitting, thereon, under any Circumstances) ; and when any Commander or Lieutenant sits on any Court-martial the Members of it shall not exceed Five in Number :

(16.) Subject to the foregoing Regulations, whenever a Court-martial shall be held, the Officer appointed to preside thereat shall summon all the Officers next in Seniority to himself present at the Place where the Court-martial shall be held to sit thereon, until the Number of Nine, or such Number, not less than Five, as is attainable, is complete ; subject to this Proviso, that the Admirals and Captains, being Superintendents of Her Majesty's Dockyards, shall not be summoned to sit on Courts-martial unless specially directed to do so by Orders from the Admiralty.

Proceedings of Courts-martial.

Where Courts-martial to be held.

59. A Court-martial under this Act shall be held on board One of Her Majesty's Ships or Vessels of War.

As to Time of Sittings of Courts-martial.

60. A Court-martial held in pursuance of this Act shall sit from Day to Day, with the Exception of Sundays, until Sentence is given, unless prevented from so doing by Stress of Weather or unavoidable Accident, and its Proceedings shall not be delayed by the Absence of any Member, so that not less than ~~Five~~ *Four* are present ; and no Member shall absent himself unless compelled so to do by Sickness or other just Cause, to be approved of by the other Members of the Court ; and if any Member of a Court-martial shall absent himself therefrom, in contravention of this Section, he shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as may be awarded by a Court-martial.

Appointment of officiating Judge Advocate.

61. In the Absence of a Judge Advocate or his Deputy, the Officer who is to be the President of the Court-martial may appoint any Person to officiate as Judge Advocate at the Trial; and the Judge Advocate of any Fleet for the Time being, or his Deputy, or the Person officiating as Judge Advocate, herein-after included under the Term "the Judge Advocate," shall administer an Oath to every Witness appearing at the Trial.

Proceedings at Trial.

62. As soon as the Court is assembled, the Names of the Officers composing the Court shall be read over to the Prisoner, who shall be asked if he objects to being tried by any Member of the Court; if the Prisoner shall object to any Member, the Objection shall be decided by the Court; if the Objection shall be allowed, the Place of the Member objected to shall be filled up by the Officer next in Seniority who is not on the Court-martial, subject to the Regulations herein-before contained.

The Prisoner may then raise any other Objection which he desires to make respecting the Constitution of the Court-martial, and the Objection shall then be decided by the Court, which Decision shall be final, and the Constitution of the Court-martial shall not be afterwards impeached, and it shall be deemed to have been in all respects duly constituted.

Oaths to be administered to Members of Courts-martial.

63. Before the Court shall proceed to try the Prisoner, the Judge Advocate shall administer to every Member of the Court the following Oath; that is to say,

'I do swear, That I will duly administer Justice 'according to Law, without Partiality, Favour, or Affection; 'and I do further swear, that I will not on any Account, at any 'Time whatsoever, disclose or discover the Vote or Opinion of any 'particular Member of this Court-martial, unless thereunto required 'in due Course of Law. So help me GOD.'

Oath to be administered to Judge Advocate, &c.

64. As soon as the said Oath shall be administered to the Members of the Court-martial, the President shall administer to the Judge Advocate the following Oath:

'I do swear, That I will not upon any Account, at 'any Time whatsoever, disclose or discover the Vote or Opinion 'of any particular Member of the Court-martial, unless thereunto 'required in due Course of Law. So help me GOD.'

President to have Casting Vote.

65. *In a Court-martial, in case the Votes are equal on any Subject, the President shall have a Second or Casting Vote.*

Power to Admiralty to frame General Orders for Practice of Courts-martial, subject to Approval by Her Majesty in Council.

66. The Admiralty may from Time to Time frame General Orders for altering and regulating (subject to the Provisions of this Act) the Procedure and Practice of Courts-martial under this Act; and any such General Orders shall have full Effect if and when approved by Her Majesty in Council, on a Report of the Judicial Committee of the Privy Council, but not sooner or otherwise; and every Order in Council made under this Section shall be laid before both Houses of Parliament.

Summoning Witnesses.

67. Every Person, Civil, Naval, and Military, who may be required to give Evidence before a Court-martial, shall be summoned *by Writing under the Hand of One of the Secretaries of the Admiralty, or* by the Judge Advocate; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Court, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of Westminster or Dublin, or the Court of Session in Scotland, or of the Courts of Law in the East or West Indies or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who make default in attending on such Courts, or attending refuse to be sworn or make Affirmation, or being sworn or having made Affirmation refuse to give Evidence, or to answer all such Questions as the Court may legally demand of them, or prevaricate in giving their Evidence, shall upon Certificate thereof under the Hand of the President of such Court-martial, be liable to be attached in the Court of Queen's Bench in London or Dublin, or the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries in Scotland, or Courts of Law in the East or West Indies, or in any of Her Majesty's Colonies, Garrisons, or Dominions in Europe or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness after having been duly summoned and subpœnaed had neglected to attend on a Trial in any Proceeding in the Court in which such Complaint is made, or had refused to be sworn, or on being sworn had refused to give Evidence, or to answer all such Questions as the Court may legally demand, or had prevaricated in giving Evidence, or, if the Court-martial shall think fit, in case any such Person belong to Her Majesty's Navy, being called upon to give Evidence at any

Court-martial, shall refuse or neglect to attend to give his Evidence upon Oath or Affirmation, or shall prevaricate in his Evidence, or behave with Contempt to the Court, such Court-martial may punish every such Offender by Imprisonment not longer than Three Months in case of such Refusal, Neglect, or Prevarication, nor longer than One Month in the Case of such Contempt; and every Person not subject to this Act who may be so summoned to attend shall be allowed and paid his reasonable Expenses, under the Authority of the Admiralty, for such Attendance.

Penalty on Persons giving false Evidence.

68. Every Person who, upon any Examination upon Oath or upon Affirmation before any Court-martial held in pursuance of this Act, shall wilfully and corruptly give false Evidence, shall be deemed guilty of wilful and corrupt Perjury; and every such Offence, wheresoever committed, shall be triable and punishable in England; and where any such Offence committed out of England is tried in England, all Statutes and Laws applicable to Cases of Perjury shall apply to the Case.

Where Persons are insane at the Time of Offence or Trial.

69. Where it shall appear upon the Trial by Court-martial of any Person charged with an Offence that such Person is insane, the Court shall find specially the Fact of his Insanity, and shall order such Person to be kept in strict Custody in such Place and in such Manner as the Court shall deem fit until the Directions of the Admiralty thereupon are known, and it shall be lawful for the Lords of the Admiralty to give Orders for the safe Custody of such Person during Her Majesty's Pleasure in such Place and in such Manner as they shall think fit.

Report of Proceedings of Courts-martial to be transmitted.

70. Every Judge Advocate, or Person officiating as Judge Advocate, shall transmit with as much Expedition as may be the original Proceedings, or a complete and authenticated Copy thereof, and the original Sentence of every Court-martial attended by him, to the Commander-in-Chief or senior Officer, who shall transmit them to the Secretary of the Admiralty for the Time being, and any Person tried by a Court-martial shall be entitled, on Demand, to a Copy of such Proceedings and Sentence at any Time not sooner than Six Months after the Trial if the same takes place in the Mediterranean, Three Months if at any other Naval Station within Europe, and Twelve Months if elsewhere, (upon Payment for the same at the Rate of Fourpence per Folio of Seventy-two Words,) but no such Demand shall be allowed after the Space of Three Years from the Date of the final Decision of such Court.

PART V.

Penal Servitude and Prisons.

Penal Servitude.

Sentence of Penal Servitude.

71. Whenever any Sentence of Death shall be commuted for Penal Servitude, or whenever Sentence of Penal Servitude shall be passed upon any Offender by any Court-martial, and such Sentence, or any Part thereof, is intended to be carried into effect, the Admiralty shall cause the same to be notified in Writing to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender upon the Terms and for the Time specified in such Notification, and shall do such all other Acts consequent upon such Notification, as any such Justice or Baron is or may be authorized to make or do by any Statute or Statutes in force at the Time of making any such Order in relation to Penal Servitude of Offenders sentenced by Courts of Criminal Jurisdiction to Penal Servitude; and such Order and other Acts to be so made and done as aforesaid shall be obeyed and executed by such Person in whose Custody such Offender may at that Time be, and by all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of any Statute relating to Penal Servitude with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, and be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as they would be if the same had been made under the Authority of any such Statute; and every Person so ordered to be kept in Penal Servitude shall be subject to all the Penalties and Provisions made by Law, and in force for the Time being, concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on Condition of Penal Servitude; and from the Time when such Order of Penal Servitude is made, every Law in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave of any such Offender; and the Judge or Baron who makes an Order for Penal Servitude as aforesaid shall direct the Notification of the Admiralty, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench, and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or the Admiralty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude was made, and such Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Disposal of Offender after Sentence of Penal Servitude.

72. When any Sentence of Death shall have been commuted for Penal Servitude, or when any Person subject to this Act shall have been condemned to Penal Servitude, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or the Commanding Officer of the Ship to which such Person belongs or has belonged, to cause him to be detained and conveyed to any One of Her Majesty's Ships, or any Gaol or Prison, there to remain in safe Custody until he is removed therefrom by the Order of the Admiralty or any such Commander-in-Chief or other due Authority, or under an Order for his Penal Servitude, to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid, and a Certificate of his Sentence (such Certificate to be signed by the Secretary of the Admiralty, or by any such Commander-in-Chief, or such Commanding Officer) shall be a sufficient Authority to the Commanding Officer of the Ship to which he may be sent, or to the Governor, Keeper, or Superintendent of the Gaol or Prison, to receive and detain him.

Subsistence of Offender.

73. In case any such Offender shall be conveyed to any Prison, not being a Naval Prison appointed by virtue of this Act, an Allowance such as the Admiralty shall from Time to Time direct shall be made to the Governor, Keeper, or Superintendent of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, and such Allowance shall be paid by Order of the Admiralty upon Production by the said Governor, Keeper, or Superintendent of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender has been so detained and subsisted in such Gaol or Prison.

Imprisonment of Offender already under Sentence for previous Offence.

74. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, passed upon him by a Court-martial for a former Offence, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he has been previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude may exceed the Term for which either of those Punishments could be otherwise awarded.

Prisons.

Term and Place of Imprisonment.

75. Every Term of Penal Servitude or of Imprisonment in pursuance of this Act shall be reckoned as commencing on the Day on which the Sentence was awarded, and the Place of Imprisonment, whether the Imprisonment was awarded as an original or as a commuted Punishment, shall be such Place as may be appointed by the Court or the Commanding Officer awarding the Punishment, or which may from Time to Time be appointed by the Admiralty, or by the Commander-in-Chief or senior Officer present on any Foreign Station, and may be One of the Naval Prisons appointed under this Act, or any Common Gaol, House of Correction, or Military Prison within Her Majesty's Dominions.

Place of Imprisonment may be changed, &c.

76. Whenever it is deemed expedient it shall be lawful for the Admiralty or any such Commander-in-Chief, by any Order in Writing, from Time to Time to change the Place of Confinement of any Offender imprisoned or sentenced to be imprisoned or detained in pursuance of this Act, and the Gaoler or other Person having the Custody of such Offender shall immediately on the Receipt of such Order remove such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order, or shall deliver him over to Naval Custody for the Purpose of the Offender being removed to such Prison; and every Gaoler or Keeper of such last-mentioned Prison, Gaol, or House of Correction shall, upon being furnished with a Copy of such Order of Removal, attested by the Secretary of the Admiralty for the Time being, receive into his Custody and shall confine pursuant to such Sentence or Order every such Offender.

Expenses of Removal or Subsistence of Prisoners.

77. The Gaoler or other Person removing any Offender in pursuance of such Order shall be allowed for the Charges of such Removal a Sum not exceeding One Shilling a Mile, and when any Offender is not confined in a Naval Prison the Gaoler or other

Person in whose Custody any such Offender may be shall receive such an Allowance as the Admiralty shall from Time to Time direct for every Day that such Offender is in his Custody, to be applied towards his Subsistence, and such Sum shall be paid to the said Gaoler or other Person under the Authority of the Admiralty, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol, Prison, or House of Correction shall be situate, with a Copy of the Sentence or Order under which the Prisoner is confined.

Delivery of Prisoners. 44 *Geo.* 3. *c.* 13. *s.* 1.

78. *From and after the passing of this Act, Section One of the Act of the Forty-fourth Year of the Reign of King George the Third (Chapter Thirteen) "to prevent the Desertion and Escape of "Petty Officers, Seamen, and others from His Majesty's Service "by Means or under Colour of any Civil or Criminal Process," shall be read and have effect as if the Words "One Shilling" were therein substituted for the Words "Two Shillings;" and any such Sheriff, Gaoler, or other Officer as therein mentioned, shall, if required, deliver such Petty Officer, Seaman, or other Person as therein mentioned, to any Person authorized to receive him, instead of conducting and conveying him as therein provided.*

Proviso for Discharge or Removal of Prisoners.

79. Whenever any Prisoner is undergoing Imprisonment in pursuance of this Act, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or where an Offender has been imprisoned by Order of his Commanding Officer, for such Commanding Officer or the Admiralty, or any such Commander-in-Chief, to give an Order in Writing directing that the Prisoner be discharged; and it shall also be lawful for the Admiralty, or any such Commander-in-Chief, and any Officer commanding any of Her Majesty's Ships, by Order in Writing, to direct that any such Prisoner be delivered over to Naval Custody for the Purpose of being brought before a Court-martial, either as a Witness, or for Trial or otherwise, and such Prisoner shall accordingly, on the Production of any such Order, be discharged, or be delivered over to such Custody.

Proviso as to Time of Detention in Naval Custody.

80. The Time during which any Prisoner under Sentence of Imprisonment is detained in Naval Custody shall be reckoned as Imprisonment under his Sentence for whatever Purpose such Detention takes place; and the Governor, Gaoler, Keeper, or Superintendent who shall deliver over any such Prisoner shall again receive him from Naval Custody, so that he may undergo the Remainder of his Punishment.

In case of Insanity Prisoners to be removed to some Lunatic Asylum.

81. If any Person imprisoned by virtue of this Act shall become insane, and a Certificate to that Effect shall be given by Two Physicians or Surgeons, the Admiralty shall, by Warrant, direct the Removal of such Person to such Lunatic Asylum or other proper Receptacle for insane Persons in the United Kingdom as they may judge proper for the unexpired Term of his Imprisonment; and if any such Person shall in the same Manner be certified to be again of sound Mind, the Admiralty may issue a Warrant for his being removed to such Prison or Place of Confinement as may be deemed expedient, to undergo the Remainder of his Punishment, and every Gaoler or Keeper of any Prison, Gaol, or House of Correction shall receive him accordingly.

Admiralty may set apart Buildings and Ships as Naval Prisons.

82. The Admiralty may set apart any Buildings or Vessels, or any Parts thereof, as Naval Prisons, and any Buildings or Vessels, or Parts of Buildings or Vessels so set apart shall be deemed to be Naval Prisons within the Meaning of this Act, and all Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Naval Prisons, belong to the Admiralty; and it shall be lawful for the Admiralty from Time to Time to make, alter, and repeal Regulations for the Government and Superintendence of any such Naval Prison, and of the Officers and Servants thereof, and of Offenders confined therein, and from Time to Time to appoint Inspectors and all other necessary Officers and Servants for any such Naval Prison, and, as Occasion may arise, to remove the Inspectors, Officers, or Servants of any such Naval Prison; and the senior Officer at any Port or Place or on any Station where there may be any such Naval Prison, or such senior Officer and such other Person and Persons as the Admiralty may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and every Inspector, Visitor, or Officer having the Charge or Command of any such Naval Prison respectively shall, subject to such Rules and Regulations as may from Time to Time be made as aforesaid, have and exercise, in respect of such Prison, and of the Officers and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities as well in respect of administering Oaths as otherwise which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Penalties on aiding Escape or Attempt to escape of

83. If any Person shall convey or cause to be conveyed into any such Naval Prison any Arms, Tools, or Instruments, or any Mask or other Disguise, to facilitate the Escape of any Prisoner, or by

Prisoners and on Breach of Prison Regulations.

by any Means whatever shall aid any Prisoner to escape or in an Attempt to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years, or suffer Penal Servitude for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds; and if any Person shall bring into such Prison, or to or for any Prisoner, without the Knowledge of the Officer having Charge or Command thereof, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or by Desire of any Prisoner, without the Sanction of the said Officer, shall carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall interrupt any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person to assault, resist, or interrupt any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or if the Offender be a Prisoner, he shall, upon Conviction thereof before Two Justices of the Peace, or not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without Hard Labour, and with or without Solitary Confinement, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may be then unexpired, and every Penalty which may be incurred under this Section shall be recoverable in a summary Manner; and such Two Justices or Three Visitors are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Penalty as regards Gaolers, &c.

84. Every Governor, Gaoler, and Keeper of any Prison, Gaol, or House or Correction, and every Officer having the Charge or Command of any Place, Ship, or Vessel for Imprisonment, who shall, without lawful Excuse, refuse or neglect to receive or confine, remove, discharge, or deliver up any Offender against the Provisions of this Act, or any of them, shall incur for every such Refusal or Neglect a Penalty not exceeding One hundred Pounds to be recovered in a summary Manner before Two Justices of the Peace; and such Two Justices are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Pay to be stopped during Imprisonment, &c.

85. During the Imprisonment of any Person in pursuance of this Act all Pay and Wages of the Prisoner shall be suspended and stopped.

PART VI.

SUPPLEMENTAL PROVISIONS.

Short Title.

86. This Act may be cited for all Purposes as The Naval Discipline Act, 1866.

Commencement of Act.

87. *Except as otherwise provided,* this Act shall be in force within the United Kingdom, and as regards the United Kingdom *the Enactments described in the Schedule to this Act,* ~~The Naval Discipline Act, 1864,~~ shall be repealed, from and after One Calendar Month from the passing hereof; and as regards elsewhere, this Act shall be in force, and ~~The Naval Discipline Act, 1864,~~ *the said Enactments* shall be repealed, from and after Six Calendar Months from the passing hereof.

Definition of Terms.

88. In the Construction of this Act, unless there be something in the Context or Subject Matter repugnant to or inconsistent with such Construction,

"Admiralty," or "the Lords of the Admiralty," shall mean the Lord High Admiral for the Time being of the United Kingdom of Great Britain and Ireland, and when there shall be no such Lord High Admiral in Office, any Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom:

"Officer," shall mean an Officer belonging to One of Her Majesty's Ships, and shall include a subordinate and a Warrant Officer, but shall not extend to Petty and Non-commissioned Officers:

When the Words "Superior Officer" are used in this Act they shall be held to include all Officers, including Petty and Non-commissioned Officers.

Persons subject to this Act.

89. Every Person in or belonging to Her Majesty's Navy, and borne on the Books of any One of Her Majesty's Ships in Commission, shall be subject to this Act; and all other Persons hereby made liable thereto, ~~and all Spies,~~ shall be triable and punishable under the Provisions of this Act.

Land Forces embarked as Passengers.

90. Her Majesty's Land Forces, when embarked on board any of Her Majesty's Ships, shall be subject to the Provisions of this Act to such Extent and under such Regulations as Her Majesty, Her Heirs and Successors, by any Order or Orders in Council, shall at any Time or Times direct.

Other Persons embarked as Passengers.

91. All other Persons ordered to be received or being Passengers on board any of Her Majesty's Ships shall be deemed to be Persons subject to this Act, under such Regulations as the Admiralty may from Time to Time direct.

Provisions respecting Discipline in hired Ships in Her Majesty's Service in War.

92. With respect to hired Vessels in Her Majesty's Service in Time of War, being either armed or under the Command of an Officer in Her Majesty's Naval Service, the following Provisions shall take effect if in any Case the Admiralty think fit so to direct, and *where such Direction is given* the same shall be specified in the Ship's Articles:

(1.) Every Person borne on the Books of any such hired Vessel shall be subject to this Act:

(2.) Any Offence committed by any such Person shall be tried and punished as the like Offence might be tried and punished if committed by any Person in or belonging to Her Majesty's Navy, and borne on the Books of any of Her Majesty's Ships in Commission:

(3.) Every such Offender who is to be tried by Court-martial shall be placed under all necessary Restraint until he can be tried by Court-martial:

(4.) On Application made to the Lords of the Admiralty, or to the Commander-in-Chief, or senior Officer of any of Her Majesty's Ships or Vessels of War abroad authorized to assemble and hold Courts-martial, the Lords of the Admiralty, Commander-in-Chief, or senior Officer (as the Case may be) shall assemble and hold a Court-martial for the Trial of the Offender:

(5.) The Officer commanding every such hired Vessel shall have the same Power in respect of all other Persons borne on the Books thereof, or for the Time being on board the same, as the Officer commanding One of Her Majesty's Ships has for the Time being in respect of the Officers and Crew thereof or other Persons on board the same:

(6.) The Naval Commander-in-Chief and senior Naval Officer in Her Majesty's Service shall have the same Powers over the Officers and Crew of every such hired Vessel as they have for the Time being over the Officers and Crew of any of Her Majesty's Ships.

Crews of Ships lost or destroyed.

93. When any One of Her Majesty's Ships shall be wrecked or lost or destroyed, or taken by the Enemy, such Ship shall, for the Purposes of this Act, be deemed to remain in Commission until her Crew shall be regularly removed into some other of Her Majesty's Ships of War, or until a Court-martial shall have been held, pursuant to the Custom of the Navy in such Cases, to inquire into the Cause of the Wreck, Loss, Destruction, or Capture of the said Ship.

All the Officers and Crew of lost Ship may be tried by One Court;

94. When no specific Charge shall be made against any Officer or Seaman or other Person in the Fleet for or in respect or in consequence of such Wreck, Loss, Destruction, or Capture, it shall be lawful to try all the Officers and Crew or all the surveying Officers and Crew of any such Ship, together, before One and the same Court, and to call upon all or any of them when upon their Trial to give Evidence on Oath or Affirmation before the Court touching any of the Matters then under Inquiry, but no Officer or Seaman or other Person shall be obliged to give any Evidence which may tend to criminate himself.

or by separate Courts.

95. When deemed necessary by the Admiralty, or any Officer authorized to order Courts-martial, separate Courts-martial shall be held for the Trial of some One or more of such Officers and Crew for or in respect or in consequence of the Wreck, Loss, Destruction, or Capture of any such Ship.

For subsequent Offence, separate Court.

96. For any Offence or Offences committed by any Officer or Seaman, or Officers and Seamen, after the Wreck, Loss, Destruction, or Capture of any such Ship, a separate Court-martial shall be held for the Trial of such Offender or Offenders.

Pay of Crews of Ships lost or taken.

97. When any Ship of Her Majesty shall be wrecked, lost, or otherwise destroyed, or taken by the Enemy, if it shall appear by the Sentence of a Court-martial that the Crew of such Ship did, in the Case of a Ship wrecked or lost, do their utmost to save her or get her off, and in the Case of a Ship taken by the Enemy did their utmost to defend themselves, and that they have, since the Wreck, Destruction, Loss, or Capture of such Ship, behaved themselves well, and been obedient to their Officers, then all the Pay of such Crews, or of such Portions of such Crews as have behaved themselves well and been obedient to their Officers, shall be continued until the Time of their being discharged or removed into other Ships of Her Majesty, or dying.

When Ship of senior Officer is lost he may dispose of Officers and Crew of lost Ship.

98. If the Ship of any Officer ordered to command any Two or more of Her Majesty's Ships shall be wrecked, lost, or otherwise destroyed, such Officer shall continue in the Command of any Ship or Ships which at the Time of his Ship being wrecked, lost, or destroyed was or were under his Command, and it shall be lawful for such Officer to order the surviving Officers and Crew of the wrecked, lost, or destroyed Ship to join any other Ship under his Command, or to distribute them among the other Ships under his Command, if more than One, and such Officer shall, until he meets with some other Officer senior to himself, have the same Power and Authority in all respect as if his Ship had not been wrecked, lost, or destroyed.

Restriction on Arrest of Seamen, &c. for Debt. [*See 11 Geo. 4. & Will. 4. c. 20. s. 80.*]

99. *It shall not be lawful for any Person to arrest any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, belonging to any Ship of Her Majesty, by any Warrant, Process, or Writ of Execution issued in any Part of Her Majesty's Dominions for any Debt, unless the Debt was contracted at a Time when the Debtor did not belong to Her Majesty's Service, nor unless before the issuing of the Warrant, Process, or Writ, the Plaintiff in the Suit or some Person on his Behalf has made an Affidavit in the Court out of which it issued that the Debt justly due to the Plaintiff (over and above all Costs) was contracted at a Time when the Debtor did not belong to Her Majesty's Service, nor unless a Memorandum of such Affidavit is marked on the Back of the Warrant, Process, or Writ.*

Discharge from Arrest. [*See same Sect.*]

100. *If any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, is arrested in contravention of the Provisions of the last foregoing Section, the Court out of which the Warrant, Process, or Writ issues, or any Judge thereof, may, on Complaint by the Party arrested, or by his superior Officer, investigate the Case on Oath or otherwise, and if satisfied that the Arrest was made in contravention of the Provisions of the last foregoing Section, may make an Order for the immediate Discharge of the Party arrested, without Fee, and may award to the Complainant the Costs of his Complaint, to be taxed by the proper Officer; for the Recovery whereof he shall have the like Remedy as the Plaintiff in the Suit would have on Judgment being given in his Favour, with Costs.*

PART VII.

SAVING CLAUSE.

Trial of Offences against repealed Acts.

101. Any Person who has committed or may commit, before this Act comes into force, any Offence against The Naval Discipline Act, 1864, or the Act thereby repealed, *or against any other Enactment repealed by this Act,* for which such Person has not been tried before this Act comes into force, shall be tried and punished under this Act as if such Crime or Offence had been committed against the same, but he shall not suffer any greater Punishment than he was liable to under The Naval Discipline Act, 1864, or the Act thereby repealed, *or such other Enactment* (*as the Case may be*)*;* and any Proceeding of any Court-martial, or any other Proceedings under The Naval Discipline Act, 1864, *or such other Enactment* which may be pending when this Act comes into force, shall be continued, and the Offender, if found guilty, shall be punished as if the Act *or Enactment* against which he offended had not been repealed.

Nothing to take away Prerogative of the Crown, or Rights or Powers of Admiralty.

102. Nothing in this Act shall take away, abridge, or control, further or otherwise than as expressly provided by this Act, any Right, Power, or Prerogative of Her Majesty the Queen in right of Her Crown, or in right of Her Office of Admiralty or any Right or Power of the Admiralty.

Act not to supersede Authority of ordinary Courts.

103. Nothing in this Act contained shall be deemed or taken to supersede or affect the Authority or Power of any Court or Tribunal of ordinary Civil or Criminal Jurisdiction, or any Officer thereof, in Her Majesty's Dominions, in respect of any Offence mentioned in this Act which may be punishable or cognizable by the Common or Statute Law, *or to prevent any Person being proceeded against and punished in respect of any such Offence otherwise than under this Act.*

The SCHEDULE.

Enactments repealed.

1 Geo. 4. & 1 Will. 4. c. 20. in part.	An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy - in part; namely,— Section Eighty.
10 & 11 Vict. c. 62. in part.	An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy - in part; namely,— Section Eleven.
27 & 28 Vict. c. 119. -	The Naval Discipline Act, 1864.
28 & 29 Vict. c. 115. -	The Naval Discipline Act Amendment Act, 1865.

Naval Discipline.

A

BILL

To make Provision for the Discipline of the Navy.

(*Prepared and brought in by Sir John Pakington and Lord Henry Lennox.*)

Ordered, by The House of Commons, *to be Printed,*
20 *July* 1866.

[Bill 231.]

Under 6 *oz.*

Naval Discipline Bill.

[AS AMENDED IN COMMITTEE.]

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CLAUSES.
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A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Make Provision for the Discipline of the Navy.

WHEREAS it is expedient to amend the Law relating to the Government of the Navy, whereon, under the good Providence of God, the Wealth, Safety, and Strength of the Kingdom chiefly depend:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PART I.

ARTICLES OF WAR.

Public Worship.

Public Worship to be performed.

1. All Officers in Command of Her Majesty's Ships of War shall cause the Public Worship of Almighty God according to the Liturgy of the Church of England established by Law to be solemnly, orderly, and reverently performed in their respective

Ships, and shall take care that Prayers and Preaching, by the Chaplains in Holy Orders of the respective Ships, be performed diligently, and that the Lord's Day be observed according to Law.

Misconduct in the Presence of the Enemy.

Penalty for Misconduct in Action.

2. Every Flag Officer, Captain, Commander or Officer commanding subject to this Act who upon Signal of Battle, or on Sight of a Ship of an Enemy which it may be his Duty to engage, shall not,

(1.) Use his utmost Exertion to bring his Ship into Action;

(2.) Or shall not during such Action, in his own Person and according to his Rank, encourage his inferior Officers and Men to fight courageously;

(3.) Or who shall surrender his Ship to the Enemy when capable of making a successful Defence, or who in Time of Action shall improperly withdraw from the Fight,

shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or such other Punishment as is herein-after mentioned; and if he has acted from Negligence, or through other Default, he shall be dismissed from Her Majesty's Service, with or without Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for not pursuing the Enemy and of not assisting a Friend in View.

3. Every Officer subject to this Act who shall forbear to pursue the Chase of any Enemy, Pirate, or Rebel, beaten or flying, or shall not relieve and assist a known Friend in View to the utmost of his Power, or who shall improperly forsake his Station, shall, if he has therein acted traitorously, suffer Death; if he has acted from Cowardice, suffer Death or such other Punishment as is herein-after mentioned; if he has acted from Negligence, or through other Default, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for delaying or discouraging the Service, or deserting his Post, &c.

4. When any Action or any Service is commanded, every Person subject to this Act who shall presume to delay or discourage the said Action or Service upon any Pretence whatsoever, or in the Presence or Vicinity of the Enemy shall desert his Post or sleep upon his Watch, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for Misconduct of Subordinate Officers

5. Every Person subject to this Act, and not being a Commanding Officer, who shall not use his utmost Exertions to carry the Orders of his Superior Officers into execution when ordered to prepare for Action, or during the Action, shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or such other Punishment as is herein-after mentioned; and if he has acted from Negligence, or through other Default, be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

and Men in Action.

Communications with the Enemy.

Penalty for Spies.

6. All Spies for the Enemy shall be deemed to be Persons subject to this Act, and shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for corresponding, &c. with the Enemy.

7. Every Person subject to this Act who shall traitorously hold—

(1.) Correspondence with or shall give Intelligence to the Enemy;

(2.) Or fail to make known to the proper Authorities any Information he may have received from the Enemy;

(3.) Or who shall relieve the Enemy with any Supplies,

shall suffer Death, or such other Punishment as is herein-after mentioned.

Penalty for improper Communication with the Enemy.

8. Every Person subject to this Act who shall, without any treacherous Intention, hold any improper Communication with the Enemy, shall be dismissed with Disgrace from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Neglect of Duty.

Penalty for abandoning Post, &c.

9. Every Person subject to this Act who shall desert his Post or sleep upon his Watch, or negligently perform the Duty imposed on him, shall be dismissed from Her Majesty's Service, with Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

Mutiny.

Penalty for Mutiny accompanied by Acts of Violence.

10. Where Mutiny is accompanied by Violence, every Person subject to this Act who shall join therein shall suffer Death, or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall not use his utmost Exertions to suppress such Mutiny shall, if he has acted traitorously, suffer Death, or such other Punishment as is herein-after mentioned; if he has acted from Cowardice, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned; if he has acted from Negligence he shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Mutiny not accompanied by Acts of Violence.

11. Where a Mutiny is not accompanied by Violence, the Ringleader or Ringleaders of such Mutiny shall suffer Death, or such other Punishment as is herein-after mentioned; and all other Persons who shall join in such Mutiny, or shall not use their utmost Exertions to suppress the same, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for inciting to Mutiny.

12. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act from his Duty or Allegiance to Her Majesty, or endeavour to incite him to commit any Act of Mutiny, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for Civilians endeavouring to seduce from Allegiance.

13. Every Person, not otherwise subject to this Act, who, being on board any Ship of Her Majesty, shall endeavour to seduce from his Duty or Allegiance to Her Majesty any Person subject to this Act, shall so far as respects such Offence be deemed to be a Person subject to this Act, and shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making mutinous Assemblies or uttering seditious Words.

14. Every Person subject to this Act who shall make or endeavour to make any mutinous Assembly, or shall lead or incite any other Person to join in any mutinous Assembly, or shall utter any Words of Sedition or Mutiny, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Penalty for concealing any traitorous or mutinous Practice, Design, or Words.

15. Every Person subject to this Act who shall wilfully conceal any traitorous or mutinous Practice or Design, or any traitorous or mutinous Words spoken against Her Majesty, or any Words, Practice, or Design tending to the Hindrance of the Service, shall suffer Penal Servitude or such other Punishment as is herein-after mentioned.

Punishment for striking or attempting to strike, &c. superior Officer.

16. Every Person subject to this Act who shall strike, or with any Weapon attempt to strike, or draw or lift up any Weapon against his superior Officer being in the Execution of his Office, shall be punished with Death or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall, otherwise than with a Weapon, attempt to strike or use or attempt to use any Violence against his superior Officer being in the Execution of his Office, shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall strike or attempt to strike, or draw or lift up any Weapon against, or use or attempt to use any Violence against his superior Officer not being in the Execution of

his

his Office, shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned.

Insubordination.

Penalty for Disobedience or using threatening Language to superior Officer.

17. Every Person subject to this Act who shall wilfully disobey any lawful Command of his superior Officer, or shall use threatening or insulting Language, or behave with Contempt to his superior Officer, shall be punished with Dismissal with Disgrace from Her Majesty's Service, or suffer such other Punishment as is herein-after mentioned.

Penalty for quarrelling, &c., or using reproachful Speech or Gestures.

18. Every Person subject to this Act who shall quarrel or fight with any other Person, whether such other Person be or be not subject to this Act, or shall use reproachful or provoking Speeches or Gestures tending to make any Quarrel or Disturbance, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Desertion and Absence without Leave.

Penalty for Desertion.

19. Every Person subject to this Act who shall absent himself from his Ship, or from the Place where his Duty requires him to be, with an Intention of not returning to such Ship or Place, or who shall at any Time and under any Circumstances when absent from his Ship or Place of Duty, do any Act which shows that he has an Intention of not returning to such Ship or Place, shall be deemed to have deserted, and shall be punished accordingly; that is to say,

(1.) If he has deserted to the Enemy he shall be punished with Death or such other Punishment as is herein-after mentioned;

(2.) If he has deserted under any other Circumstances, he shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned;

and in every such Case he shall forfeit all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by him, and all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to him, and also all Clothes and Effects which he may have left on board the Ship or at the Place from which he has deserted, unless the Tribunal by which he is tried shall otherwise direct.

Penalty for inducing any Person to desert.

20. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act to desert shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for entertaining a Deserter.

21. Every Officer in Command of any Ship of Her Majesty who shall receive or entertain any Deserter from Her Majesty's Military or Naval Forces, after discovering him to be a Deserter, and shall not with all convenient Speed, in the Case of a Deserter from Her Majesty's Naval Forces, give Notice to the Commanding Officer of the Ship to which such Deserter belongs, or, if such Ship is at a Distance, to the Secretary of the Admiralty or to the Commander-in-Chief, or, in case of a Deserter from Her Majesty's Military Forces, give Notice to the Secretary of War, or the Commanding Officer of the Regiment to which such Deserter belongs, the Officer so offending shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Punishment for breaking out of Ship.

22. If any Person subject to this Act (without being guilty of Desertion) improperly leaves his Ship or Place of Duty, he shall be liable to Imprisonment or to such other Punishment as is herein-after mentioned, and to such other Punishment by Forfeiture of Wages or of other Benefits as the Admiralty from Time to Time by Regulations prescribe.

Penalty for Absence without Leave.

23. Every Person subject to this Act, who (without being guilty of Desertion or of improperly leaving his Ship or Place of Duty), shall be absent without Leave, shall be liable to Imprisonment for any Period not exceeding Ten Weeks, with or without Hard Labour, or such other Punishment as the Circumstances of the Case may require, and to such other Punishment by Forfeiture of Wages or of other Benefits as the Admiralty from Time to Time by Regulations prescribe.

Forfeiture of Effects for Absence without Leave.

24. If any Person subject to this Act is absent without Leave for a Period of One Month (whether he is guilty of Desertion or of improperly leaving his Ship or Place of Duty or not), but is not apprehended and tried for his Offence, the Admiralty, or on a Foreign Station, the Commander-in-Chief, may by an Order stating the Absence without Leave direct that the Clothes and Effects (if any) left by him on board Ship or at his Place of Duty, be forfeited, and the same may be sold, and the Proceeds of the Sale shall be disposed of as the Admiralty or the Commander-in-Chief (as the Case may be) may direct; and every Order under this Provision for Forfeiture or Sale shall be conclusive as to the Fact of the Absence without Leave as therein stated of the Person therein named; but in any Case the Admiralty may, if it seems fit, on sufficient Cause being shown at any Time after Forfeiture and before Sale, remit the Forfeiture, or after Sale pay or dispose of the Proceeds of the

Sale or any Part thereof to or for the Use of the Person to whom the Clothes or Effects belonged.

Penalty for assisting, &c. Desertion.

See 10 & 11 Vict. c. 62. s. 11.

25. If any Person not subject to this Act assists or procures any Person subject to this Act to desert or improperly absent himself from his Duty, or conceals, employs, or continues to employ any Person subject to this Act, who is a Deserter or improperly absent from his Duty, knowing him to be a Deserter or so improperly absent, he shall, for every such Offence of Assistance, Procurement, Concealment, Employment, or Continuance of Employment, be liable, on summary Conviction thereof before a Justice or Justices, or before any Person or Persons or Court exercising like Authority in any Part of Her Majesty's Dominions, to a Penalty not exceeding Thirty Pounds; and, notwithstanding anything in any Act relating to Municipal Corporations, or to the Metropolitan Police, or in any other Act, every such Penalty shall be applied as the Admiralty direct.

Penalty for persuading to Desertion, &c.

See 10 & 11 Vict. c. 62. s. 11.

26. If any Person not subject to this Act by Words or otherwise persuades any Person subject to this Act to desert or improperly absent himself from his Duty, he shall for every such Offence be liable, on summary Conviction thereof before a Justice or Justices, or before any Person or Persons or Court exercising like Authority in any Part of Her Majesty's Dominions, to a Penalty not exceeding Twenty Pounds; and, notwithstanding anything in any Act relating to Municipal Corporations, or to the Metropolitan Police, or in any other Act, every such Penalty shall be applied as the Admiralty direct.

Miscellaneous Offences.

Penalty for profane Swearing and other Immoralities.

27. Every Person subject to this Act, who shall be guilty of any profane Oath, Cursing, Execration, Drunkenness, Uncleanness, or other scandalous Action in derogation of God's Honour and Corruption of good Manners, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty on Officer for Cruelty or Oppression.

28. Every Officer subject to this Act who shall be guilty of Cruelty, or of any scandalous or fraudulent Conduct, shall be dismissed with Disgrace from Her Majesty's Service; and every Officer subject to this Act who shall be guilty of any other Conduct unbecoming the Character of an Officer shall be dismissed, with or without Disgrace, from Her Majesty's Service.

Penalty for suffering Ships to be improperly lost.

29. Every Person subject to this Act, who shall either designedly or negligently or by any Default lose, strand, or hazard, or suffer to be lost, stranded, or hazarded, any Ship of Her Majesty or in

Her Majesty's Service, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for not taking care of and defending Ships under Convoy.

30. The Officers of all Ships of Her Majesty appointed for the Convoy and Protection of any Ships or Vessels shall diligently perform their Duty without Delay according to their Instructions in that Behalf; and every Officer who shall fail in his Duty in this respect, and shall not defend the Ships and Goods under his Convoy, without Deviation to any other Objects, or shall refuse to fight in their Defence if they are assailed, or shall cowardly abandon and expose the Ships in his Convoy to Hazard, or shall demand or exact any Money or other Reward from any Merchant or Master for convoying any Ships or Vessels intrusted to his Care, or shall misuse the Masters or Mariners thereof, shall make such Reparation in Damages to the Merchants, Owners, and others as the Court of Admiralty may adjudge, and also shall be punished criminally according to the Nature of his Offence, by Death or such other Punishment as is herein-after mentioned.

Master of Merchant Vessel to obey Orders of convoying Officer.

31. Every Master or other Officer in Command of any Merchant or other Vessel under the Convoy of any Ship of Her Majesty shall obey the Commanding Officer thereof in all Matters relating to the Nagivation or Security of the Convoy, and shall take such Precautions for avoiding the Enemy as may be directed by such Commanding Officer; and if he shall fail to obey such Directions, such Commanding Officer may compel Obedience by Force of Arms, without being liable for any Loss of Life or of Property that may result from his using such Force.

Penalty for taking any Goods on board other than for the Use of the Vessel except Gold, Silver, Jewels, &c.

32. Every Officer in Command of any of Her Majesty's Ships who shall receive on board, or permit to be received on board such Ship any Goods or Merchandises whatsoever, other than for the sole Use of the Ship, except Gold, Silver, or Jewels, and except Goods and Merchandise belonging to any Merchant, or on board any Ship which may be shipwrecked or in imminent Danger either on the High Seas or in some Port, Creek, or Harbour, for the Purpose of preserving them for their proper Owners, or except such Goods or Merchandise as he may at any Time be ordered to take or receive on board by Order of the Admiralty or his Superior Officer, shall be dismissed from Her Majesty's Service, or suffer such other Punishment as is herein-after mentioned.

Penalty for embezzling Public Stores.

33. Every Person subject to this Act who shall wastefully expend, embezzle, or fraudulently buy, sell, or receive any Ammunition, Provisions, or other Public Stores, and every Person subject to this Act, who shall knowingly permit any such wasteful Expenditure, Embezzlement, Sale, or Receipt, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for burning any Magazine or Vessel, &c. not belonging to an Enemy.

34. Every Person subject to this Act, who shall unlawfully set fire to any Dockyard, Victualling Yard, or Steam Factory Yard, Arsenal, Magazine, Building, Stores, or to any Ship, Vessel, Hoy, Barge, Boat, or other Craft or Furniture thereunto belonging, not being the Property of an Enemy, Pirate, or Rebel, shall suffer Death or such other Punishment as is herein-after mentioned.

Penalty for making or signing false Musters.

35. Every Person subject to this Act, who shall knowingly make or sign a false Muster or Record or other Official Document, or who shall command, counsel, or procure the making or signing thereof, or who shall aid or abet any other Person in the making or signing thereof, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Misconduct in Hospital.

36. Every Person subject to this Act who shall wilfully do any Act, or wilfully disobey any Orders, whether in Hospital or elsewhere, with Intent to produce or to aggravate any Disease or Infirmity, or to delay his Cure, or who shall feign any Disease, Infirmity, or Inability to perform his Duty, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for endeavouring to stir up any Disturbance on account of Unwholesomeness of the Victuals or other just Grounds.

37. Every Person subject to this Act who shall have any Cause of Complaint, either of the Unwholesomeness of the Victuals or upon any other just Ground, shall quietly make the same known to his Superior, or Captain, or Commander-in-Chief, and the said Superior, Captain, or Commander-in-Chief shall, as far as he is able, cause the same to be presently remedied; and no Person subject to this Act upon any Pretence whatever shall attempt to stir up any Disturbance, upon pain of such Punishment as a Court-martial may think fit to inflict, according to the Degree of Offence.

Penalty for not sending to the Court of Admiralty all Papers found aboard Prize Ships.

38. All the Papers, Charter-parties, Bills of Lading, Passports, and other Writings whatsoever that shall be taken, seized, or found aboard any Ship or Ships which shall be taken as Prize shall be duly preserved, and the Commanding Officer of the Ship which shall take such Prize shall send the Originals entire and without Fraud to the Court of Admiralty, or such other Court or Commissioners as shall be authorized to determine whether such Prize be lawful Capture, there to be viewed, made use of, and proceeded upon according to Law, upon pain that every Person offending herein shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned, and in addition thereto shall forfeit and lose his Share of the Capture.

Penalty for taking Money or other Effects out of any Prize before the same shall be condemned.

39. No Person subject to this Act shall take out of any Prize or Ship seized for Prize any Money, Plate, or Goods, unless it shall be necessary for the better securing thereof, or for the necessary Use and Service of any of Her Majesty's Ships and Vessels of War, before the same be adjudged lawful Prize in some Admiralty Court; but the full and entire Account of the whole without Embezzlement shall be brought in, and Judgment passed entirely upon the whole, without Fraud, upon pain that every Person offending herein shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned, and in addition thereto forfeit and lose his Share of the Capture.

Penalty for stripping or ill-using Persons taken on board a Prize.

40. If any Ship or Vessel shall be taken as Prize, none of the Officers, Mariners, or other Persons on board her shall be stripped of their Clothes, or in any sort pillaged, beaten, or evil intreated, upon pain that the Person or Persons so offending shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty on Commanders capturing as Prize by Collusion, or collusively restoring Ships or Goods.

41. If the Commanding Officer of any of Her Majesty's Ships does any of the following Things, namely,

(1.) By Collusion with the Enemy takes as Prize any Vessel, Goods, or Thing;

(2.) Unlawfully agrees with any Person for the ransoming of any Vessel, Goods, or Thing taken as Prize; or

(3.) In pursuance of any unlawful Agreement for ransoming or otherwise by Collusion actually quits or restores any Vessel, Goods, or Thing taken as Prize;

he shall be liable to Dismissal from Her Majesty's Service, with Disgrace, or to such other Punishment as is herein-after mentioned.

Penalty for breaking Bulk on board Prize Ship with a View to Embezzlement.

42. If any Person subject to this Act breaks Bulk on board any Vessel taken as Prize, or detained in the Exercise of any Belligerent Right, or under any Act relating to Piracy or to the Slave Trade or to the Customs, with Intent to embezzle anything therein or belonging thereto, he shall be liable to Dismissal from Her Majesty's Service, with Disgrace, or to such other Punishment as is herein-after mentioned, and in addition thereto to forfeit and lose his Share of the Capture.

43. Every Person subject to this Act who shall be guilty of any Act, Disorder, or Neglect to the Prejudice of good Order and Naval Discipline, not herein-before specified, shall be dismissed from Her Majesty's Service, with Disgrace, or suffer such other Punishment as is herein-after mentioned.

Penalty for Offences against Naval Discipline not particularly mentioned.

44. Any Person subject to this Act committing any Offence against this Act, such Offence not being punishable with Death or Penal Servitude, shall, save where this Act expressly otherwise provides, be proceeded against and punished according to the Laws and Customs in such Cases used at Sea.

Crimes to be punished according to Laws and Customs in use.

Offences punishable by ordinary Law.

45. Every Person subject to this Act who shall be guilty of Murder shall suffer Death:

Penalty for Offences punishable by ordinary Law.

If he shall be guilty of Manslaughter he shall suffer Penal Servitude, or such other Punishment as is herein-after mentioned:

If he shall be guilty of Sodomy with Man or Beast he shall suffer Penal Servitude:

If he shall be guilty of an indecent Assault he shall suffer Penal Servitude or such other Punishment as is herein-after mentioned:

If he shall be guilty of Robbery or Theft he shall suffer Penal Servitude or such other Punishment as is herein-after mentioned:

If he shall be guilty of any other Criminal Offence which if committed in England would be punishable by the Law of England, he shall, whether the Offence be or be not committed in England, be punished either in pursuance of the First Part of this Act as for an Act to the Prejudice of good Order and Naval Discipline not otherwise specified, or the Offender shall be subject to the same Punishment as might for the Time being be awarded by any ordinary Criminal Tribunal competent to try the Offender if the Offence had been committed in England.

46. For all Offences specified or referred to in this Act, if committed by any Person subject thereto in any Harbour, Haven, or Creek, or on any Lake or River, whether in or out of the United Kingdom, or anywhere within the Jurisdiction of the Admiralty, or at any Place on Shore out of the United Kingdom of Great Britain and Ireland, or in any of Her Majesty's Dockyards, Victualling Yards, Steam Factory Yards, or on any Gun Wharf, or in any

Offences, when punishable.

Arsenal, Barrack, or Hospital belonging to Her Majesty, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act; and for all Offences herein-before specified under the Headings "Misconduct in the Presence of the Enemy," "Communications with the Enemy," "Neglect of Duty," "Mutiny," "Insubordination," "Desertion and Absence without Leave," or "Miscellaneous Offences," if committed by any Person subject to this Act at any Place on Shore, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act.

PART II.

General Provisions.

Power of Court-martial to find Intent with which Offence committed.

47. Where the Amount of Punishment for any Offence under this Act depends upon the Intent with which it has been committed, and any Prisoner is charged with having committed such Offence with an Intent involving a greater Degree of Punishment, a Court-martial may find that the Offence was committed with an Intent involving a less Degree of Punishment, and award such Punishment accordingly.

Power of Court-martial to find Prisoner guilty of lesser Offence on Charge of greater.

48. Where any Prisoner shall be charged with Murder, a Court-martial may find him guilty of Manslaughter or of a Common Assault; where he shall be charged with Sodomy, a Court-martial may find him guilty of an indecent Assault; where he shall be charged with Theft, a Court-martial may find him guilty of an Attempt to thieve, or of Embezzlement, or of wrongful Appropriation of Property belonging to another; and generally where any Prisoner shall be charged with any Offence under this Act he may, upon Failure of Proof of the Commission of the greater Offence, be found guilty of another Offence of the same Class involving a less Degree of Punishment, but not of any Offence involving a greater Degree of Punishment.

Rebels and Mutineers to be deemed Enemies.

49. All armed Rebels, armed Mutineers, and Pirates, shall be deemed to be Enemies within the Meaning of this Act.

Power to arrest Offenders.

50. Every Officer in Command of a Fleet or Squadron of Her Majesty's Ships, or of One of Her Majesty's Ships, or the Senior Officer present at a Port, may, by Warrant under his Hand, authorize any Person to arrest any Offender subject to this Act for any Offence against this Act mentioned in such Warrant; and any such Warrant may include the Names of more Persons than One in respect of several Offences of the same Nature; and any Person named in any such Warrant may forthwith, on his Apprehension, if the Warrant so directs, be taken on board the Ship to which he belongs, or some other of Her Majesty's Ships; and any Person so authorized may use Force, if necessary, for the Purpose of effecting such Apprehension, towards any Person subject to this Act.

51. Every Person subject to this Act who shall not use his utmost Endeavours to detect, apprehend, and bring to Punishment all Offenders against this Act, and shall not assist the Officers appointed for that Purpose, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for not assisting in Detection of Prisoners.

PART III.

REGULATIONS AS TO PUNISHMENTS.

52. The following Punishments may be inflicted in Her Majesty's Navy:

Punishments.

(1.) Death:
(2.) Penal Servitude:
(3.) Dismissal with Disgrace from Her Majesty's Service:
(4.) Imprisonment or Corporal Punishment:
(5.) Dismissal from Her Majesty's Service:
(6.) Forfeiture of Seniority as an Officer for a specified Time, or otherwise:
(7.) Dismissal from the Ship to which the Offender belongs:
(8.) Severe Reprimand, or Reprimand:
(9.) Disrating a Subordinate or Petty Officer:
(10.) Forfeiture of Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations granted to the Offender, or of any One or more of the above Particulars; also, in the Case of Desertion, of all Clothes and Effects left by the Deserter on board the Ship to which he belongs:
(11.) Such minor Punishments as are now inflicted according to the Custom of the Navy, or may from Time to Time be allowed by the Admiralty:

And each of the above Punishments shall be deemed to be inferior in Degree to every Punishment preceding it in the above Scale.

53. The

Regulations as to Infliction of Punishments.

53. The following Regulations are hereby made with respect to the Infliction of Punishments in Her Majesty's Navy:

(1.) The Admiralty may, except in case of Sentence of Death, which shall only be remitted by Her Majesty, suspend, annul, or modify any Sentence passed on any Person subject to this Act, or substitute a Punishment inferior in Degree for the Punishment involved in any such Sentence, or remit the whole or any Portion of the Punishment involved in any such Sentence, or remit the whole or any Portion of any Punishment into which the Punishment involved in any such Sentence has been commuted, and any Sentence so modified shall (subject to the Provisions of this Act) be valid, and shall be carried into Execution, as if it had been originally passed, with such Modification, by the Court-martial; but so that the Punishment involved in any Sentence be not increased by any such Modification:

(2.) Judgment of Death shall not be passed on any Prisoner unless Four at least of the Officers present at the Court-martial, where the Number does not exceed Five, and in other Cases a Majority of not less than Two Thirds of the Officers present, concur in the Sentence:

(3.) Except in case of Mutiny, the Punishment of Death shall not be inflicted on any Prisoner until the Sentence has been confirmed by the Admiralty or by the Commander-in-Chief on a Foreign Station:

(4.) The Punishment of Penal Servitude may be inflicted for the Term of Life, or for any other Term of not less than Five Years:

(5.) The Punishment of Penal Servitude shall in all Cases involve Dismissal with Disgrace from Her Majesty's Service:

(6.) A Sentence of Dismissal with Disgrace shall involve in all Cases a Forfeiture of all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to the Offender, and an Incapacity to serve Her Majesty again in any Military, Naval, or Civil Service, and may also in all Cases be accompanied by a Sentence of Imprisonment:

(7.) The Punishment of Imprisonment may be inflicted for any Term not exceeding Two Years:

(8.) A Sentence of Imprisonment may be accompanied with a Direction that the Prisoner shall be kept in Solitary Confinement for any Period of such Term, not exceeding Fourteen Days at any One Time, and not exceeding Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than the Periods of Solitary Confinement; and when the Imprisonment awarded exceeds Eighty-four Days, the Solitary Confinement shall not exceed Seven Days in any Twenty-eight Days of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods:

(9.) A Sentence of Imprisonment may also be accompanied with a Direction that the Prisoner shall be kept to Hard Labour for all or any Part of the Term of Imprisonment, and Corporal Punishment may be awarded in addition to any Sentence of Imprisonment, whether such Imprisonment is or is not to be accompanied with Solitary Confinement and Hard Labour, or either of them:

(10.) The Punishment of Imprisonment, whether on board Ship or on Shore, shall involve disrating in case of a Petty Officer and Reduction to the Ranks in case of a Non-commissioned Officer of Marines, and shall in all Cases be accompanied by Stoppage of Pay or Wages during the Term of Imprisonment:

(11.) In any Case of Corporal Punishment not more than Forty-eight Lashes shall be inflicted: No Officer shall be subject to Corporal Punishment: No Petty or Non-commissioned Officer shall be subject to Corporal Punishment, except in case of Mutiny:

All other Punishments authorized by this Act may be inflicted in the Manner heretofore in use in the Navy.

Limitation of Time as to Trials.

54. No Person, unless he be an Offender who has avoided Apprehension or fled from Justice, shall be tried or punished in pursuance of this Act for any Offence committed by him unless such Trial shall take place within Three Years from the Commission of such Offence, or within One Year after the Return of such Offender to the United Kingdom, where he has been absent from the United Kingdom during such Period of Three Years.

Scale of Punishment.

55. Subject to the foregoing Regulations, where any Punishment is specified by this Act as the Penalty for any Offence, and it is further declared that another Punishment may be awarded in respect of the same Offence, the Expression "other Punishment" shall be deemed to comprise any One or more of the Punishments inferior in Degree to the specified Punishment, according to the Scale herein-before mentioned; but Corporal Punishment shall be deemed equal in Degree to Imprisonment, and may in all Cases, subject to the foregoing Regulations, be inflicted as a Substitute for or in addition to Imprisonment.

Authorities having Power to try Offences.

56. Any Offence triable under this Act may be tried and punished by Court-martial; and any Offence triable under this Act, not committed by an Officer (except in the Cases by this Act expressly provided for), and not hereby made Capital, may, under such Regulations as the Admiralty may from Time to Time issue, be summarily tried and punished by the Officer in Command of the Ship to which such Offender belongs, subject to the following Restrictions; (that is to say,)

(1.) The Commanding Officer shall not have Power to award the Punishment of Penal Servitude:

(2.) The Commanding Officer shall not have Power to sentence a Deserter to Imprisonment for a longer Period than Three Calendar Months, or to sentence any other Offender to Imprisonment for a longer Period than Six Weeks, or to award Solitary Confinement for more than Ten Days at a Time, with Intervals of not less than Seven Days between Two successive Periods of Solitary Confinement:

(3.) Except in case of Mutiny, no Man shall be sentenced by the Commanding Officer to Corporal Punishment until his Offence has been inquired into by One or more Officers appointed by such Commanding Officer, and his or their Opinion as to the Guilt or Innocence of the Prisoner reported to such Commanding Officer, and the Commanding Officer shall thereupon act as according to his Judgment may seem right.

Authorities empowered to impose Punishments to adhere to Provisions herein named.

57. With respect to the Authorities by whom certain Punishments may be imposed, the following Provisions shall take effect; namely,

(1.) With respect to any subordinate Officer, the Punishment of Forfeiture of Time or Seniority may be imposed as follows; namely, by the Admiralty for any Time not exceeding Twelve Months, by the Commander-in-Chief on a Foreign Station for any Time not exceeding Six Months, or by the Commanding Officer for any Time not exceeding Three Months:

(2.) With respect to any subordinate Officer, the Commander-in-Chief on a Foreign Station shall have Power to impose the Punishments numbered (7.), (8.), and (9.) in the Scale herein-before contained.

PART IV.

COURTS-MARTIAL.

Constitution of Courts-martial.

Constitution of Courts-martial.

58. The following Regulations are hereby made with respect to Courts-martial:

(1.) A Court-martial shall consist of not less than Five nor more than Nine Officers:

(2.) No Officer shall be qualified to sit as a Member of any Court-martial held in pursuance of this Act unless he be a Flag Officer, Captain, Commander, or Lieutenant of Her Majesty's Navy on Full Pay:

(3.) A Court-martial shall not be held unless at least Three of Her Majesty's Ships, not being Tenders, and commanded by Captains, Commanders, or Lieutenants of Her Majesty's Navy on Full Pay, are together at the Time when such Court-martial is held:

(4.) No Officer shall sit on a Court-martial who is under Twenty-one Years of Age:

(5.) No Court-martial for the Trial of a Flag Officer shall be duly constituted unless the President is a Flag Officer, and the other Officers composing the Court are of the Rank of Captain, or of higher Rank:

(6.) No Court-martial for the Trial of a Captain in Her Majesty's Navy shall be duly constituted unless the President is a Captain or of higher Rank, and the other Officers composing the Court are Commanders or Officers of higher Rank:

(7.) No Court-martial for the Trial of any Person below the Rank of Captain in Her Majesty's Navy shall be duly constituted, unless the President is a Captain or of higher Rank, nor unless in addition to the President there are Two other Members of the Court of the Rank of Commander or of higher Rank:

(8.) The Prosecutor shall not sit on any Court-martial for the Trial of a Prisoner whom he prosecutes:

(9.) The Admiralty shall have Power to order Courts-martial to be held for the Trial of Offences under this Act, and to grant Commissions to any Officer of Her Majesty's Navy on Full Pay authorizing him to order Courts-martial to be held for the Trial of such Offences:

(10.) An Officer holding a Commission from the Admiralty to order Courts-martial shall not be empowered to do so if there is present at the Place where such Court-martial is to be held any Officer superior in Rank to himself, on Full Pay and in command of One or more of Her Majesty's Ships or Vessels, although such last-mentioned Officer may not hold a Commission to order Courts-martial; and in such a Case such last-mentioned Officer may order a Court-martial, although he does not hold any Commission for the Purpose:

(11.) If any Officer holding a Commission from the Admiralty to order Courts-martial, having the Command of a Fleet or Squadron, and being in Foreign Parts, die, be recalled, leave his Station, or be removed from his Command, the Officer upon whom the Command of the Fleet or Squadron devolves, and so from Time to Time the Officer who shall have the Command of the Fleet or Squadron, shall, without any Commission from the Admiralty, have the same Power to order Courts-martial as the first-mentioned Officer was invested with:

(12.) If any Officer holding a Commission from the Admiralty to order Courts-martial, and having the Command of any Fleet or Squadron of Her Majesty's Ships in Foreign Parts shall detach any Part of such Fleet or Squadron, or separate himself from any Part of such Fleet or Squadron, he may, by Commission under his Hand, empower, in the first-mentioned Case, the Commanding Officer of the Squadron or Detachment ordered on such separate Service, and in case of his Death or ceasing so to command, the Officer to whom the Command of such separate Squadron or Detachment shall belong, and in the secondly-mentioned Case the senior Officer of Her Majesty's Ships on the Division of the Station from which he is absent, to order Courts-martial during the Time of such separate Service, or during his Absence from that Division of the Station (as the Case may be), and every such Authority shall continue in force until revoked, or until the Officer holding it returns to the United Kingdom or comes into the Presence of a Superior Officer, empowered to order Courts-martial in the same Squadron, Detachment, or Division of a Station, but so that such Authority shall revive on the Officer holding it ceasing to be in the Presence of such a Superior Officer, and so toties quoties:

(13.) The Officer ordering a Court-martial shall not sit thereon:

(14.) The President of every Court-martial shall be named by the Authority ordering the same, or by any Officer empowered by such Authority to name the President:

(15.) No Commander or Lieutenant shall be required to sit as a Member of any Court-martial when Four Officers of a higher Rank and junior to the President can be assembled at the Place where the Court-martial is to be holden (but the Regularity or Validity of any Court-martial or of the Proceedings thereof shall not be affected by any Commander or Lieutenant being required to sit, or sitting, thereon, under any Circumstances); and when any Commander or Lieutenant sits on any Court-martial the Members of it shall not exceed Five in Number:

(16.) Subject to the foregoing Regulations, whenever a Court-martial shall be held, the Officer appointed to preside thereat shall summon all the Officers next in Seniority to himself present at the Place where the Court-martial shall be held to sit thereon, until the Number of Nine, or such Number, not less than Five, as is attainable, is complete; subject to this Proviso, that the Admirals and Captains, being Superintendents of Her Majesty's Dockyards, shall not be summoned to sit on Courts-martial unless specially directed to do so by Orders from the Admiralty.

Proceedings of Courts-martial.

Where Courts-martial to be held.

59. A Court-martial under this Act shall be held on board One of Her Majesty's Ships or Vessels of War.

As to Time of Sittings of Courts-martial.

60. A Court-martial held in pursuance of this Act shall sit from Day to Day, with the Exception of Sundays, until Sentence is given, unless prevented from so doing by Stress of Weather or unavoidable Accident, and its Proceedings shall not be delayed by the Absence of any Member, so that not less than Four are present; and no Member shall absent himself unless compelled so to do by Sickness or other just Cause, to be approved of by the other Members of the Court; and if any Member of a Court-martial shall absent himself therefrom, in contravention of this Section, he shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as may be awarded by a Court-martial.

Appointment of officiating Judge Advocate.

61. In the Absence of the Judge Advocate of the Fleet or his Deputy, the Officer who is to be the President of the Court-martial shall appoint a Person to officiate as Deputy Judge Advocate at the Trial; and the Judge Advocate of the Fleet for the Time being, or his Deputy, or the Person officiating as Deputy Judge Advocate, at any Trial shall administer an Oath to every Witness appearing at the Trial.

Proceedings at Trial.

62. As soon as the Court is assembled, the Names of the Officers composing the Court shall be read over to the Prisoner, who shall be asked if he objects to being tried by any Member of the Court; if the Prisoner shall object to any Member, the Objection shall be decided by the Court; if the Objection shall be allowed, the Place of the Member objected to shall be filled up by the Officer next in Seniority who is not on the Court-martial, subject to the Regulations herein-before contained.

The Prisoner may then raise any other Objection which he desires to make respecting the Constitution of the Court-martial, and the Objection shall then be decided by the Court, which Decision shall be final, and the Constitution of the Court-martial shall not be afterwards impeached, and it shall be deemed to have been in all respects duly constituted.

Oaths to be administered to Members of Courts-martial.

63. Before the Court shall proceed to try the Prisoner, the Judge Advocate, or his Deputy, or the Person officiating as Deputy Judge Advocate, shall administer to every Member of the Court the following Oath; that is to say,

'I do swear, That I will duly administer Justice
'according to Law, without Partiality, Favour, or Affection;
'and I do further swear, that I will not on any Account, at any
'Time whatsoever, disclose or discover the Vote or Opinion of any
'particular Member of this Court-martial, unless thereunto required
'in due Course of Law. So help me GOD.'

Oath to be administered to Judge Advocate, &c.

64. As soon as the said Oath shall be administered to the Members of the Court-martial, the President shall administer to the Judge Advocate, or his Deputy, or the Person officiating as Deputy Judge Advocate, the following Oath:

'I do swear, That I will not upon any Account, at
'any Time whatsoever, disclose or discover the Vote or Opinion
'of any particular Member of the Court-martial, unless thereunto
'required in due Course of Law. So help me GOD.'

65. The Admiralty may from Time to Time frame General Orders for altering and regulating (subject to the Provisions of this Act) the Procedure and Practice of Courts-martial under this Act; and any such General Orders shall have full Effect if and when approved by Her Majesty in Council, on a Report of the Judicial Committee of the Privy Council, but not sooner or otherwise; and every Order in Council made under this Section shall be laid before both Houses of Parliament.

Power to Admiralty to frame General Orders for Practice of Courts-martial, subject to Approval by Her Majesty in Council.

66. Every Person, Civil, Naval, and Military, who may be required to give Evidence before a Court-martial, shall be summoned by Writing under the Hand of One of the Secretaries of the Admiralty, or by the Person appointed to officiate as Deputy Judge Advocate at the Trial; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Court, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of Westminster or Dublin, or the Court of Session in Scotland, or of the Courts of Law in the East or West Indies or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who make default in attending on such Courts, or attending refuse to be sworn or make Affirmation, or being sworn or having made Affirmation refuse to give Evidence, or to answer all such Questions as the Court may legally demand of them, or prevaricate in giving their Evidence, shall upon Certificate thereof under the Hand of the President of such Court-martial, be liable to be attached in the Court of Queen's Bench in London or Dublin, or the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries in Scotland, or Courts of Law in the East or West Indies, or in any of Her Majesty's Colonies, Garrisons, or Dominions in Europe or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness after having been duly summoned and subpœnaed had neglected to attend on a Trial in any Proceeding in the Court in which such Complaint is made, or had refused to be sworn, or on being sworn had refused to give Evidence, or to answer all such Questions as the Court may legally demand, or had prevaricated in giving Evidence, or, if the Court-martial shall think fit, in case any such Person belong to Her Majesty's Navy, being called upon to give Evidence at any Court-

Summoning Witnesses.

Court-martial, shall refuse or neglect to attend to give his Evidence upon Oath or Affirmation, or shall prevaricate in his Evidence, or behave with Contempt to the Court, such Court-martial may punish every such Offender by Imprisonment not longer than Three Months in case of such Refusal, Neglect, or Prevarication, nor longer than One Month in the Case of such Contempt; and every Person not subject to this Act who may be so summoned to attend shall be allowed and paid his reasonable Expenses for such Attendance, under the Authority of the Admiralty, or of the President of the Court-martial on a foreign Station.

Penalty on Persons giving false Evidence.

67. Every Person who, upon any Examination upon Oath or upon Affirmation before any Court-martial held in pursuance of this Act, shall wilfully and corruptly give false Evidence, shall be deemed guilty of wilful and corrupt Perjury; and every such Offence, wheresoever committed, shall be triable and punishable in England; and where any such Offence committed out of England is tried in England, all Statutes and Laws applicable to Cases of Perjury shall apply to the Case.

Where Persons are insane at the Time of Offence or Trial.

68. Where it shall appear upon the Trial by Court-martial of any Person charged with an Offence that such Person is insane, the Court shall find specially the Fact of his Insanity, and shall order such Person to be kept in strict Custody in such Place and in such Manner as the Court shall deem fit until the Directions of the Admiralty thereupon are known, and it shall be lawful for the Lords of the Admiralty to give Orders for the safe Custody of such Person during Her Majesty's Pleasure in such Place and in such Manner as they shall think fit.

Report of Proceedings of Courts-martial to be transmitted.

69. Every Judge Advocate, or Person officiating as Judge Advocate, shall transmit with as much Expedition as may be the original Proceedings, or a complete and authenticated Copy thereof, and the original Sentence of every Court-martial attended by him, to the Commander-in-Chief or senior Officer, who shall transmit them to the Secretary of the Admiralty for the Time being, and any Person tried by a Court-martial shall be entitled, on Demand, to a Copy of such Proceedings and Sentence at any Time not sooner than Six Months after the Trial if the same takes place in the Mediterranean, Three Months if at any other Naval Station within Europe, and Twelve Months if elsewhere, (upon Payment for the same at the Rate of Fourpence per Folio of Seventy-two Words,) but no such Demand shall be allowed after the Space of Three Years from the Date of the final Decision of such Court.

PART

PART V.

Penal Servitude and Prisons.

Penal Servitude.

Sentence of Penal Servitude.

70. Whenever any Sentence of Death shall be commuted for Penal Servitude, or whenever Sentence of Penal Servitude shall be passed upon any Offender by any Court-martial, and such Sentence, or any Part thereof, is intended to be carried into effect, the Admiralty shall cause the same to be notified in Writing to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender upon the Terms and for the Time specified in such Notification, and shall do such all other Acts consequent upon such Notification, as any such Justice or Baron is or may be authorized to make or do by any Statute or Statutes in force at the Time of making any such Order in relation to Penal Servitude of Offenders sentenced by Courts of Criminal Jurisdiction to Penal Servitude; and such Order and other Acts to be so made and done as aforesaid shall be obeyed and executed by such Person in whose Custody such Offender may at that Time be, and by all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of any Statute relating to Penal Servitude with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, and be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as they would be if the same had been made under the Authority of any such Statute; and every Person so ordered to be kept in Penal Servitude shall be subject to all the Penalties and Provisions made by Law, and in force for the Time being, concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on Condition of Penal Servitude; and from the Time when such Order of Penal Servitude is made, every Law in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave of any such Offender; and the Judge or Baron who makes an Order for Penal Servitude as aforesaid shall direct the Notification of the Admiralty, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench, and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or the Admiralty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude was made, and such Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Disposal of Offender after Sentence of Penal Servitude.

71. When any Sentence of Death shall have been commuted for Penal Servitude, or when any Person subject to this Act shall have been condemned to Penal Servitude, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or the Commanding Officer of the Ship to which such Person belongs or has belonged, to cause him to be detained and conveyed to any One of Her Majesty's Ships, or any Gaol or Prison, there to remain in safe Custody until he is removed therefrom by the Order of the Admiralty or any such Commander-in-Chief or other due Authority, or under an Order for his Penal Servitude, to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid, and a Certificate of his Sentence (such Certificate to be signed by the Secretary of the Admiralty, or by any such Commander-in-Chief, or such Commanding Officer) shall be a sufficient Authority to the Commanding Officer of the Ship to which he may be sent, or to the Governor, Keeper, or Superintendent of the Gaol or Prison, to receive and detain him.

Subsistence of Offender.

72. In case any such Offender shall be conveyed to any Prison, not being a Naval Prison appointed by virtue of this Act, an Allowance such as the Admiralty shall from Time to Time direct shall be made to the Governor, Keeper, or Superintendent of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, and such Allowance shall be paid by Order of the Admiralty upon Production by the said Governor, Keeper, or Superintendent of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender has been so detained and subsisted in such Gaol or Prison.

73. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, passed upon him by a Court-martial for a former Offence, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he has been previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude may exceed the Term for which either of those Punishments could be otherwise awarded.

Imprisonment of Offender already under Sentence for previous Offence.

Prisons.

74. Every Term of Penal Servitude or of Imprisonment in pursuance of this Act shall be reckoned as commencing on the Day on which the Sentence was awarded, and the Place of Imprisonment, whether the Imprisonment was awarded as an original or as a commuted Punishment, shall be such Place as may be appointed by the Court or the Commanding Officer awarding the Punishment, or which may from Time to Time be appointed by the Admiralty, or by the Commander-in-Chief or senior Officer present on any Foreign Station, and may be One of the Naval Prisons appointed under this Act, or any Common Gaol, House of Correction, or Military Prison within Her Majesty's Dominions.

Term and Place of Imprisonment.

75. Whenever it is deemed expedient it shall be lawful for the Admiralty or any such Commander-in-Chief, by any Order in Writing, from Time to Time to change the Place of Confinement of any Offender imprisoned or sentenced to be imprisoned or detained in pursuance of this Act, and the Gaoler or other Person having the Custody of such Offender shall immediately on the Receipt of such Order remove such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order, or shall deliver him over to Naval Custody for the Purpose of the Offender being removed to such Prison; and every Gaoler or Keeper of such last-mentioned Prison, Gaol, or House of Correction shall, upon being furnished with a Copy of such Order of Removal, attested by the Secretary of the Admiralty for the Time being, receive into his Custody and shall confine pursuant to such Sentence or Order every such Offender.

Place of Imprisonment may be changed, &c.

76. The Gaoler or other Person removing any Offender in pursuance of such Order shall be allowed for the Charges of such Removal a Sum not exceeding One Shilling a Mile, and when any Offender is not confined in a Naval Prison the Gaoler or other Person

Expenses of Removal or Subsistence of Prisoners.

Person in whose Custody any such Offender may be shall receive such an Allowance as the Admiralty shall from Time to Time direct for every Day that such Offender is in his Custody, to be applied towards his Subsistence, and such Sum shall be paid to the said Gaoler or other Person under the Authority of the Admiralty, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol, Prison, or House of Correction shall be situate, with a Copy of the Sentence or Order under which the Prisoner is confined.

Delivery of Prisoners. 44 *Geo.* 3. *c.* 13. *s.* 1.

77. From and after the passing of this Act, Section One of the Act of the Forty-fourth Year of the Reign of King George the Third (Chapter Thirteen), "to prevent the Desertion and Escape of "Petty Officers, Seamen, and others from His Majesty's Service "by Means or under Colour of any Civil or Criminal Process," shall be read and have effect as if the Words "One Shilling" were therein substituted for the Words "Two Shillings;" and any such Sheriff, Gaoler, or other Officer as therein mentioned shall, if required, deliver such Petty Officer, Seaman, or other Person as therein mentioned to any Person authorized to receive him, instead of conducting and conveying him as therein provided.

Proviso for Discharge or Removal of Prisoners.

78. Whenever any Prisoner is undergoing Imprisonment in pursuance of this Act, it shall be lawful for the Admiralty, or any Commander-in-Chief on any Foreign Station, or where an Offender has been imprisoned by Order of his Commanding Officer, for such Commanding Officer or the Admiralty, or any such Commander-in-Chief, to give an Order in Writing directing that the Prisoner be discharged; and it shall also be lawful for the Admiralty, or any such Commander-in-Chief, and any Officer commanding any of Her Majesty's Ships, by Order in Writing, to direct that any such Prisoner be delivered over to Naval Custody for the Purpose of being brought before a Court-martial, either as a Witness, or for Trial or otherwise, and such Prisoner shall accordingly, on the Production of any such Order, be discharged, or be delivered over to such Custody.

Proviso as to Time of Detention in Naval Custody.

79. The Time during which any Prisoner under Sentence of Imprisonment is detained in Naval Custody shall be reckoned as Imprisonment under his Sentence for whatever Purpose such Detention takes place; and the Governor, Gaoler, Keeper, or Superintendent who shall deliver over any such Prisoner shall again receive him from Naval Custody, so that he may undergo the Remainder of his Punishment.

80. If any Person imprisoned by virtue of this Act shall become insane, and a Certificate to that Effect shall be given by Two Physicians or Surgeons, the Admiralty shall, by Warrant, direct the Removal of such Person to such Lunatic Asylum or other proper Receptacle for insane Persons in the United Kingdom as they may judge proper for the unexpired Term of his Imprisonment; and if any such Person shall in the same Manner be certified to be again of sound Mind, the Admiralty may issue a Warrant for his being removed to such Prison or Place of Confinement as may be deemed expedient, to undergo the Remainder of his Punishment, and every Gaoler or Keeper of any Prison, Gaol, or House of Correction shall receive him accordingly.

In case of Insanity: Prisoners to be removed to some Lunatic Asylum.

81. The Admiralty may set apart any Buildings or Vessels, or any Parts thereof, as Naval Prisons, and any Buildings or Vessels, or Parts of Buildings or Vessels so set apart shall be deemed to be Naval Prisons within the Meaning of this Act, and all Powers and Authorities with respect to County Gaols or Houses of Correction which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State shall, with respect to all such Naval Prisons, belong to the Admiralty; and it shall be lawful for the Admiralty from Time to Time to make, alter, and repeal Regulations for the Government and Superintendence of any such Naval Prison, and of the Officers and Servants thereof, and of Offenders confined therein, and from Time to Time to appoint Inspectors and all other necessary Officers and Servants for any such Naval Prison, and, as Occasion may arise, to remove the Inspectors, Officers, or Servants of any such Naval Prison; and the senior Officer at any Port or Place or on any Station where there may be any such Naval Prison, or such senior Officer and such other Person and Persons as the Admiralty may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and every Inspector, Visitor, or Officer having the Charge or Command of any such Naval Prison respectively shall, subject to such Rules and Regulations as may from Time to Time be made as aforesaid, have and exercise, in respect of such Prison, and of the Officers and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities as well in respect of administering Oaths as otherwise which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Admiralty may set apart Buildings and Ships as Naval Prisons.

82. If any Person shall convey or cause to be conveyed into any such Naval Prison any Arms, Tools, or Instruments, or any Mask or other Disguise, to facilitate the Escape of any Prisoner, or by

Penalties on aiding Escape or Attempt to escape of

Prisoners and on Breach of Prison Regulations.

by any Means whatever shall aid any Prisoner to escape or in an Attempt to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years, or suffer Penal Servitude for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds; and if any Person shall bring into such Prison, or to or for any Prisoner, without the Knowledge of the Officer having Charge or Command thereof, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or by Desire of any Prisoner, without the Sanction of the said Officer, shall carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall interrupt any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person to assault, resist, or interrupt any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or if the Offender be a Prisoner, he shall, upon Conviction thereof before Two Justices of the Peace, or not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without Hard Labour, and with or without Solitary Confinement, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may be then unexpired, and every Penalty which may be incurred under this Section shall be recoverable in a summary Manner; and such Two Justices or Three Visitors are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

Penalty as regards Gaolers, &c.

83. Every Governor, Gaoler, and Keeper of any Prison, Gaol, or House or Correction, and every Officer having the Charge or Command of any Place, Ship, or Vessel for Imprisonment, who shall, without lawful Excuse, refuse or neglect to receive or confine, remove, discharge, or deliver up any Offender against the Provisions of this Act, or any of them, shall incur for every such Refusal or Neglect a Penalty not exceeding One hundred Pounds to be recovered in a summary Manner before Two Justices of the Peace; and such Two Justices are hereby authorized to issue Warrants of Distress and Sale of the Offender's Goods, and every such Penalty shall be applied as the Admiralty shall direct, any Law, Statute, Charter, or Custom to the contrary notwithstanding.

PART VI.

SUPPLEMENTAL PROVISIONS.

Short Title.

84. This Act may be cited for all Purposes as The Naval Discipline Act, 1866.

Commencement of Act.

85. Except as otherwise provided, this Act shall be in force within the United Kingdom; and as regards the United Kingdom the Enactments described in the Schedule to this Act, shall be repealed, from and after One Calendar Month from the passing hereof; and as regards elsewhere, this Act shall be in force, and the said Enactments shall be repealed, from and after Six Calendar Months from the passing hereof.

Definition of Terms.

86. In the Construction of this Act, unless there be something in the Context or Subject Matter repugnant to or inconsistent with such Construction,

"Admiralty," or "the Lords of the Admiralty," shall mean the Lord High Admiral for the Time being of the United Kingdom of Great Britain and Ireland, and when there shall be no such Lord High Admiral in Office, any Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom:

"Officer," shall mean an Officer belonging to One of Her Majesty's Ships, and shall include a subordinate and a Warrant Officer, but shall not extend to Petty and Non-commissioned Officers:

When the Words "Superior Officer" are used in this Act they shall be held to include all Officers, including Petty and Non-commissioned Officers.

Persons subject to this Act.

87. Every Person in or belonging to Her Majesty's Navy, and borne on the Books of any One of Her Majesty's Ships in Commission, shall be subject to this Act; and all other Persons hereby made liable thereto shall be triable and punishable under the Provisions of this Act.

Land Forces embarked as Passengers.

88. Her Majesty's Land Forces, when embarked on board any of Her Majesty's Ships, shall be subject to the Provisions of this Act to such Extent and under such Regulations as Her Majesty, Her Heirs and Successors, by any Order or Orders in Council, shall at any Time or Times direct.

Other Persons embarked as Passengers.

89. All other Persons ordered to be received or being Passengers on board any of Her Majesty's Ships shall be deemed to be Persons subject to this Act, under such Regulations as the Admiralty may from Time to Time direct.

Provisions respecting Discipline in hired Ships in Her Majesty's Service in War.

90. With respect to hired Vessels in Her Majesty's Service in Time of War, being either armed or under the Command of an Officer in Her Majesty's Naval Service, the following Provisions shall take effect if in any Case the Admiralty think fit so to direct, and where such Direction is given the same shall be specified in the Ship's Articles:

(1.) Every Person borne on the Books of any such hired Vessel shall be subject to this Act:

(2.) Any Offence committed by any such Person shall be tried and punished as the like Offence might be tried and punished if committed by any Person in or belonging to Her Majesty's Navy, and borne on the Books of any of Her Majesty's Ships in Commission:

(3.) Every such Offender who is to be tried by Court-martial shall be placed under all necessary Restraint until he can be tried by Court-martial:

(4.) On Application made to the Lords of the Admiralty, or to the Commander-in-Chief, or senior Officer of any of Her Majesty's Ships or Vessels of War abroad authorized to assemble and hold Courts-martial, the Lords of the Admiralty, Commander-in-Chief, or senior Officer (as the Case may be) shall assemble and hold a Court-martial for the Trial of the Offender:

(5.) The Officer commanding every such hired Vessel shall have the same Power in respect of all other Persons borne on the Books thereof, or for the Time being on board the same, as the Officer commanding One of Her Majesty's Ships has for the Time being in respect of the Officers and Crew thereof or other Persons on board the same:

(6.) The Naval Commander-in-Chief and senior Naval Officer in Her Majesty's Service shall have the same Powers over the Officers and Crew of every such hired Vessel as they have for the Time being over the Officers and Crew of any of Her Majesty's Ships.

Crews of Ships lost or destroyed.

91. When any One of Her Majesty's Ships shall be wrecked or lost or destroyed, or taken by the Enemy, such Ship shall, for the Purposes of this Act, be deemed to remain in Commission until her Crew shall be regularly removed into some other of Her Majesty's Ships of War, or until a Court-martial shall have been held, pursuant to the Custom of the Navy in such Cases, to inquire into the Cause of the Wreck, Loss, Destruction, or Capture of the said Ship.

All the Officers and Crew of lost Ship may be tried by One Court;

92. When no specific Charge shall be made against any Officer or Seaman or other Person in the Fleet for or in respect or in consequence of such Wreck, Loss, Destruction, or Capture, it shall be lawful to try all the Officers and Crew or all the surviving Officers and Crew of any such Ship, together, before One and the same Court, and to call upon all or any of them when upon their Trial to give Evidence on Oath or Affirmation before the Court touching any of the Matters then under Inquiry, but no Officer or Seaman or other Person shall be obliged to give any Evidence which may tend to criminate himself.

or by separate Courts.

93. When deemed necessary by the Admiralty, or any Officer authorized to order Courts-martial, separate Courts-martial shall be held for the Trial of some One or more of such Officers and Crew for or in respect or in consequence of the Wreck, Loss, Destruction, or Capture of any such Ship.

For subsequent Offence, separate Court.

94. For any Offence or Offences committed by any Officer or Seaman, or Officers and Seamen, after the Wreck, Loss, Destruction, or Capture of any such Ship, a separate Court-martial shall be held for the Trial of such Offender or Offenders.

Pay of Crews of Ships lost or taken.

95. When any Ship of Her Majesty shall be wrecked, lost, or otherwise destroyed, or taken by the Enemy, if it shall appear by the Sentence of a Court-martial that the Crew of such Ship did, in the Case of a Ship wrecked or lost, do their utmost to save her or get her off, and in the Case of a Ship taken by the Enemy did their utmost to defend themselves, and that they have, since the Wreck, Destruction, Loss, or Capture of such Ship, behaved themselves well, and been obedient to their Officers, then all the Pay of such Crews, or of such Portions of such Crews as have behaved themselves well and been obedient to their Officers, shall be continued until the Time of their being discharged or removed into other Ships of Her Majesty, or dying.

When Ship of senior Officer is lost he may dispose of Officers and Crew of lost Ship.

96. If the Ship of any Officer ordered to command any Two or more of Her Majesty's Ships shall be wrecked, lost, or otherwise destroyed, such Officer shall continue in the Command of any Ship or Ships which at the Time of his Ship being wrecked, lost, or destroyed was or were under his Command, and it shall be lawful for such Officer to order the surviving Officers and Crew of the wrecked, lost, or destroyed Ship to join any other Ship under his Command, or to distribute them among the other Ships under his Command, if more than One, and such Officer shall, until he meets with some other Officer senior to himself, have the same Power and Authority in all respect as if his Ship had not been wrecked, lost, or destroyed.

Restriction on Arrest of Seamen, &c. for Debt. [*See 11 Geo. 4. & Will. 4. c. 20. s. 80.*]

97. It shall not be lawful for any Person to arrest any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, belonging to any Ship of Her Majesty, by any Warrant, Process, or Writ issued in any Part of Her Majesty's Dominions for any Debt, unless the Debt was contracted at a Time when the Debtor did not belong to Her Majesty's Service, nor unless before the issuing of the Warrant, Process, or Writ the Plaintiff in the Suit or some Person on his Behalf has made an Affidavit in the Court out of which it issued that the Debt justly due to the Plaintiff (over and above all Costs) was contracted at a Time when the Debtor did not belong to Her Majesty's Service, nor unless a Memorandum of such Affidavit is marked on the Back of the Warrant, Process, or Writ.

Discharge from Arrest. [*See same Sect.*]

98. If any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, is arrested in contravention of the Provisions of the last foregoing Section, the Court out of which the Warrant, Process, or Writ issues, or any Judge thereof, may, on Complaint by the Party arrested, or by his superior Officer, investigate the Case on Oath or otherwise, and if satisfied that the Arrest was made in contravention of the Provisions of the last foregoing Section, may make an Order for the immediate Discharge of the Party arrested, without Fee, and may award to the Complainant the Costs of his Complaint, to be taxed by the proper Officer, for the Recovery whereof he shall have the like Remedy as the Plaintiff in the Suit would have on Judgment being given in his Favour, with Costs.

PART

PART VII.

SAVING CLAUSE.

Trial of Offences against repealed Acts.

99. Any Person who has committed or may commit, before this Act comes into force, any Offence against The Naval Discipline Act, 1864, or the Act thereby repealed, or against any other Enactment repealed by this Act, for which such Person has not been tried before this Act comes into force, shall be tried and punished under this Act as if such Crime or Offence had been committed against the same, but he shall not suffer any greater Punishment than he was liable to under The Naval Discipline Act, 1864, or the Act thereby repealed, or such other Enactment (as the Case may be); and any Proceeding of any Court-martial, or any other Proceedings under The Naval Discipline Act, 1864, or such other Enactment which may be pending when this Act comes into force, shall be continued, and the Offender, if found guilty, shall be punished as if the Act or Enactment against which he offended had not been repealed.

Nothing to take away Prerogative of the Crown, or Rights or Powers of Admiralty.

100. Nothing in this Act shall take away, abridge, or control, further or otherwise than as expressly provided by this Act, any Right, Power, or Prerogative of Her Majesty the Queen in right of Her Crown, or in right of Her Office of Admiralty or any Right or Power of the Admiralty.

Act not to supersede Authority of ordinary Courts.

101. Nothing in this Act contained shall be deemed or taken to supersede or affect the Authority or Power of any Court or Tribunal of ordinary Civil or Criminal Jurisdiction, or any Officer thereof, in Her Majesty's Dominions, in respect of any Offence mentioned in this Act which may be punishable or cognizable by the Common or Statute Law, or to prevent any Person being proceeded against and punished in respect of any such Offence otherwise than under this Act.

The SCHEDULE.

Enactments repealed.

11 Geo. 4. & 1 Will. 4. c. 20. in part.	An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy -	in part; namely,— Section Eighty.
10 & 11 Vict. c. 62. in part.	An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy -	in part; namely,— Section Eleven.
27 & 28 Vict. c. 119. -	The Naval Discipline Act, 1864.	
28 & 29 Vict. c. 115. -	The Naval Discipline Act Amendment Act, 1865.	

Naval Discipline.

A

BILL

[AS AMENDED IN COMMITTEE]

To make Provision for the Discipline of the Navy.

(*Prepared and brought in by Sir John Pakington and Lord Henry Lennox.*)

Ordered, by The House of Commons, *to be Printed,* 26 *July* 1866.

[Bill 245.]

Under 5 *oz.*

A

BILL

FOR

The Establishment and Regulation of Savings Banks for Seamen and Marines of the Royal Navy.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as The Naval Savings Banks Act, 1866. Short Title.

2. In this Act the Term "the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral. Interpretation.

3. This Act shall, with respect to the making of any Order in Council under it, take effect from its passing, and shall in all other respects take effect from the Time appointed for its Commencement by any such Order. Commencement of Act.

4. The Admiralty may establish Naval Savings Banks for the Receipt of Deposits of Money from Petty Officers and Seamen and other Power for Admiralty to establish

Naval Savings Banks.

A

BILL

For the Establishment and Regulation of Savings Banks for Seamen and Marines of the Royal Navy.

(Prepared and brought in by
Lord Clarence Paget and Mr. Childers.)

Ordered, by The House of Commons, *to be Printed,*
19 *April* 1866.

[Bill 114.]

Under 1 *oz.*

* * *

A

BILL

TO

Provide for the Relief of the Poor in the New Forest.

WHEREAS a great Portion of Her Majesty's Forest situated in the County of Southampton termed the New Forest is reputed to be Extra-parochial, but by reason of its great Extent and the Peculiarity of its Form the Enactments of the Statute passed in the Twentieth Year of the Reign of Her present Majesty, Chapter Nineteen, cannot be carried into execution therein; and it is expedient that Provisions should be made for the Division thereof and other dealing therewith, and with other Places included therein or adjoining thereto, so that such Enactments may be rendered available therein: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble.

1. The Poor Law Board may, as and when they shall think fit, ascertain and by Order under their Seal set out and fix the Boundaries of the Extra-parochial or reputed Extra-parochial Lands within Her Majesty's New Forest aforesaid, and of certain other Extra-parochial or reputed Extra-parochial Lands called No Man's Land, and of any Parish or Place maintaining its own Poor,

The Poor Law Board may set out the Boundaries of the Extra-parochial Lands in the New

Forest, No Man's Land, and adjoining Parishes.

Poor, which may be situated within the said Lands or may adjoin or abut on the same or any Part thereof, or such Part of the said Boundaries as the Poor Law Board shall think fit; and after the said Boundaries shall have been so ascertained, set out, and fixed the same shall be and be deemed to be the Boundaries of the said Lands and the said Parishes and Places maintaining their own Poor respectively.

The Poor Law Board may, with Consent of the Commissioners of Her Majesty's Woods and Forests, divide the Extra-parochial Lands into Townships, and Justices having Jurisdiction may appoint Overseers.

2. The Poor Law Board may, if they think fit, divide the said Lands or Parts thereof into Portions or Districts of such Extent respectively and bounded in such Manner as they shall deem most convenient, and, with the Consent of the Commissioners of Her Majesty's Woods and Forests and Land Revenues for the Time being in charge of the said Forest, by their Order declare that each of such Portions or Districts shall thenceforth for all the Purposes mentioned in the First Section of the said Act be a Township, and shall be designated by such Name as the Poor Law Board shall in such Order direct, and the same shall thenceforth be a Township separately maintaining its own Poor, and shall be designated by such Name as aforesaid; and the Justices of the Peace having Jurisdiction over such Portion or District or over the greater Part thereof shall appoint Overseers of the Poor therein.

The Poor Law Board may, with the Consent of Her Majesty's Commissioners of Woods and Forests, annex Extra-parochial Lands not included in Townships to adjoining Parishes.

3. The Poor Law Board may, if they think fit, with such Consent as aforesaid, by Order under their Seal direct that such Part of the said Lands as shall not be included in any such Townships shall be annexed for the Purposes aforesaid to any existing Parish or Place for which a separate Poor Law shall or can be made, within or adjoining to the said Forest, in Portions of such Extent and bounded in such Manner and upon such Conditions and subject to such Provisions as the Poor Law Board shall think fit, and thenceforth the same shall be and be deemed to be Part of the said Parish or Place or Parishes or Places for all the said Purposes.

One Overseer only may be appointed by the Justices.

4. If in any such Township so to be formed as aforesaid it shall appear to the Justices that Two Overseers cannot conveniently be appointed from the Inhabitant Householders thereof, or are not required for such Township, such Justices may appoint One only; and if it shall appear to them that there is no such Householder liable or fit to be appointed, they shall appoint some Inhabitant of an adjoining Parish or Place maintaining its own Poor willing to serve to be such Overseer, either with or without an annual Salary, such Salary, if any, to be approved by the Poor Law Board, and to be paid out of the Poor Rate of such Township; and such last-mentioned Appointment shall endure until the usual Time of the Appointment of Overseers, and may be renewed from Year to Year as long as the Justices shall find necessary.

Overseers may act as Guardians until there be Ratepayers qualified to elect.

5. If any such Township shall be added to any Union, the Overseer or Overseers thereof shall act as the Guardian or Guardians of such Township as the Board of Guardians of such Union until there shall be Ratepayers thereof qualified to elect a Guardian: Provided that if the Poor Law Board shall direct One Guardian only to be appointed for any such Township, and there shall be Two Overseers appointed for the same, the Overseer first appointed or whose Name shall stand first in the Warrant of Appointment shall act as such Guardian, and in the Case of his Decease or Incapacity during the Year of Office the other Overseer shall thenceforth act as such Guardian: Provided also, that no such paid Overseer as aforesaid shall be authorized to act as a Guardian.

All Powers, &c. of Overseers extended to Overseers appointed under this Act.

6. The Overseers or Overseer appointed under the Authority of this Act shall have all the Powers, Authorities, Privileges, Exemptions, and Protections which Overseers now or hereafter shall possess, and shall be subject to all the Obligations, Responsibilities, Penalties, and Consequences which Overseers are now or may hereafter be liable to.

The Powers relating to the Examination of Witnesses and Production of Documents contained in 10 & 11 Vict. c. 109. ss. 11 and 21, extended to this Act.

7. The Powers, Provisions, and Authorities contained in the Eleventh and Twenty-first Sections respectively of the One hundred and ninth Chapter of the Statute passed in the Tenth and Eleventh Years of the Reign of Her present Majesty relating to the summoning and examining of Witnesses and the requiring and enforcing the Production of Returns and other Documents therein mentioned shall extend and be applicable to the Proceedings under this Act.

Provision for the Maintenance of Highways.

8. Where in pursuance of this Act any Place is declared to be a Township separately maintaining its own Poor such Place shall, for the Purposes of the Act of Twenty-fifth and Twenty-sixth Victoria, Chapter Sixty-one, be deemed to be a Parish separately maintaining its own Highways; and where in pursuance of this Act any Place is annexed to any existing Parish or Place as aforesaid, such Place shall, for the Purposes of the said Act, be deemed to be annexed to such Parish or Place for the Purposes of the Maintenance of the Highways.

Terms used in this Act to be construed as 4 & 5 W. 4. c. 76, &c.

9. The Words used in this Act shall be construed in the like Manner as in the Seventy-sixth Chapter of the Statute passed in the Fourth and Fifth Years of King William the Fourth, and the Provisions contained therein and in the subsequent Acts explaining and extending the same, and not repealed, shall so far as they shall be consistent herewith, be extended to this Act.

Short Title.

10. This Act may be cited for all Purposes as "The New Forest Poor Act."

New Forest Poor Relief.

A

BILL

To provide for the Relief of the Poor in the New Forest.

(Prepared and brought in by
Viscount Enfield and Mr. Villiers.)

Ordered, by The House of Commons, *to be Printed,*
8 *March* 1866.

[Bill 57.]

Under 1 *oz.*

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Provide for the Relief of the Poor in the New Forest.

Preamble.

WHEREAS a great Portion of Her Majesty's Forest situated in the County of Southampton termed the New Forest is reputed to be Extra-parochial, but by reason of its great Extent and the Peculiarity of its Form the Enactments of the Statute passed in the Twentieth Year of the Reign of Her present Majesty, Chapter Nineteen, cannot be carried into execution therein; and it is expedient that Provisions should be made for the Division thereof and other dealing therewith, and with other Places included therein or adjoining thereto, so that such Enactments may be rendered available therein: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Poor Law Board may set out the Boundaries of the Extra-parochial Lands in the New

1. The Poor Law Board may, as and when they shall think fit, ascertain and by Order under their Seal set out and fix the Boundaries of the Extra-parochial or reputed Extra-parochial Lands within Her Majesty's New Forest aforesaid, and of certain other Extra-parochial or reputed Extra-parochial Lands called No Man's Land, and of any Parish or Place heretofore maintaining its own

Forest, No Man's Land, and adjoining Parishes.

own Poor, which may be situated within the said Lands or may adjoin or abut on the same or any Part thereof, or such Part of the said Boundaries as the Poor Law Board shall think fit, so far as such Boundaries fall within or abut upon the said Forest only; and after the said Boundaries shall have been so ascertained, set out, and fixed the same shall be and be deemed to be the Boundaries of the said Lands and the said Parishes and Places.

The Poor Law Board may, with Consent of the Commissioners of Her Majesty's Woods and Forests, divide the Extra-parochial Lands into Townships, and Justices having Jurisdiction may appoint Overseers.

2. The Poor Law Board may, if they think fit, divide the said Lands or Parts thereof into Portions or Districts of such Extent respectively and bounded in such Manner as they shall deem most convenient, and, with the Consent of the Commissioner of Her Majesty's Woods and Forests and Land Revenues for the Time being in charge of the said Forest, by their Order declare that each of such Portions or Districts shall thenceforth for all the Purposes mentioned in the First Section of the said Act be a Township, and shall be designated by such Name as the Poor Law Board shall in such Order direct, and the same shall thenceforth be a Township separately maintaining its own Poor, and shall be designated by such Name as aforesaid; and the Justices of the Peace having Jurisdiction over such Portion or District or over the greater Part thereof shall appoint Overseers of the Poor therein.

The Poor Law Board may, with the Consent of Her Majesty's Commissioners of Woods and Forests, annex Extra-parochial Lands not included in Townships to adjoining Parishes.

3. The Poor Law Board may, if they think fit, with such Consent as aforesaid, by Order under their Seal direct that such Part of the said Lands as shall not be included in any such Townships shall be annexed for the Purposes aforesaid to any existing Parish or Place for which a separate Poor Rate shall or can be made, within or adjoining to the said Forest, in Portions of such Extent and bounded in such Manner and upon such Conditions and subject to such Provisions as the Poor Law Board shall think fit, and shall submit the same to the Court of Quarter Sessions of the County in which the Piece of Land to which the Order applies shall be situated, and such Court shall hear any Objections on behalf of the Owners or Occupiers of the Lands or of the Vestry of the Parish interested in the same, and either confirm the Order or alter it, as they shall see fit, and thenceforth the said Portions shall be dealt with according to the Order of the Quarter Sessions.

One Overseer only may be appointed by the Justices.

4. If in any such Township so to be formed as aforesaid it shall appear to the Justices that Two Overseers cannot conveniently be appointed from the Inhabitant Householders thereof, or are not required for such Township, such Justices may appoint One only; and if it shall appear to them that there is no such Householder liable or fit to be appointed, they shall appoint some Inhabitant of an adjoining Parish or Place willing to serve to be such Overseer, either with or without an annual Salary, such Salary, if any, to be approved by the Poor Law Board, and to be paid out of the Poor Rate of such Township; and such last-mentioned Appointment shall endure until the usual Time of the Appointment of Overseers, and may be renewed from Year to Year as long as the Justices shall find necessary.

5. If any such Township shall be added to any Union, the Overseer or Overseers thereof shall act as the Guardian or Guardians of such Township as the Board of Guardians of such Union until there shall be Ratepayers thereof qualified to elect a Guardian: Provided that if the Poor Law Board shall direct One Guardian only to be appointed for any such Township, and there shall be Two Overseers appointed for the same, the Overseer first appointed or whose Name shall stand first in the Warrant of Appointment shall act as such Guardian, and in the Case of his Decease or Incapacity during the Year of Office the other Overseer shall thenceforth act as such Guardian: Provided also, that no such paid Overseer as aforesaid shall be authorized to act as a Guardian.

Overseers may act as Guardians until there be Ratepayers qualified to elect.

6. The Overseers or Overseer appointed under the Authority of this Act shall have all the Powers, Authorities, Privileges, Exemptions, and Protections which Overseers now or hereafter shall possess, and shall be subject to all the Obligations, Responsibilities, Penalties, and Consequences which Overseers are now or may hereafter be liable to.

All Powers, &c. of Overseers extended to Overseers appointed under this Act.

7. The Powers, Provisions, and Authorities contained in the Eleventh and Twenty-first Sections respectively of the One hundred and ninth Chapter of the Statute passed in the Tenth and Eleventh Years of the Reign of Her present Majesty relating to the summoning and examining of Witnesses and the requiring and enforcing the Production of Returns and other Documents therein mentioned shall extend and be applicable to the Proceedings under this Act.

The Powers relating to the Examination of Witnesses and Production of Documents contained in 10 & 11 Vict. c. 109. ss. 11 and 21, extended to this Act.

8. The Words used in this Act shall be construed in the like Manner as in the Seventy-sixth Chapter of the Statute passed in the Fourth and Fifth Years of King William the Fourth, and the Provisions contained therein and in the subsequent Acts explaining and extending the same, and not repealed, shall so far as they shall be consistent herewith, be extended to this Act.

Terms used in this Act to be construed as 4 & 5 W. 4. c. 76, &c.

9. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, all such Estate, Right, Title, Interest, Prerogative, and Benefit, as She or They had or enjoyed or could or might

Saving Rights of the Crown.

might have had or enjoyed in, to, or out of or in respect of the said Extra-parochial Lands, Parishes, Townships, and Places in case this Act had not passed.

Short Title. **10.** This Act may be cited for all Purposes as "The New Forest Poor Act."

New Forest Poor Relief.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To provide for the Relief of the Poor in the New Forest.

(Prepared and brought in by
Viscount Enfield and Mr. Villiers.)

Ordered, by The House of Commons, *to be Printed,*
15 *June* 1866.

[Bill 193.]

Under 1 *oz.*

New South Wales and Van Diemen's Land Government. [H.L.]

A

BILL

INTITULED

An Act to repeal Part of an Act intituled "An "Act for the Government of New South Wales "and Van Diemen's Land."

5 & 6 Vict. c. 76. s. 31.

WHEREAS by an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled "An Act for the "Government of New South Wales and Van Diemen's "Land," it was enacted that, except as therein mentioned, all Bills passed by the Legislative Council of New South Wales which should alter or affect the Duties of Customs upon any Goods, Wares, or Merchandise imported to or exported from the said Colony, should in every Case be reserved for the Signification of Her Majesty's Pleasure thereon:

13 & 14 Vict. c. 59. ss. 12, 27.

And whereas by an Act passed in the Fourteenth Year of Her Majesty, intituled "An Act for the better Government of Her "Majesty's Australian Colonies," the above recited Enactments were in part repealed and in part extended to the Colonies of Victoria, Van Diemen's Land, South Australia, and Western Australia:

18 & 19 Vict. c. 54. and 55.

And whereas by Two Acts passed in the Fifteenth Year of Her Majesty, intituled respectively "An Act to enable Her Majesty to "assent to a Bill as amended of the Legislature of New South "Wales, 'to confer a Constitution on New South Wales, and to

" 'grant a Civil List to Her Majesty,' " and "An Act to enable "Her Majesty to assent to a Bill as amended of the Legislature of "Victoria, to establish a Constitution in and for the Colony of "Victoria," the Provisions of the first-mentioned Act respecting the Reservation of Bills for the Signification of Her Majesty's Pleasure thereon are declared applicable to the Colonies of New South Wales and Victoria respectively; and Doubts are entertained how far the above-recited Enactments remain still in force in Her Majesty's Australian Colonies, and it is expedient that such Doubts should be removed, and that the said Provisions should be repealed:

Be it hereby enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Part of 5 & 6 Vict. c. 76. s. 31.

1. The above recited Enactments of the aforesaid Act of the Sixth Year of Her Majesty shall be and they are hereby repealed.

Laws not to be invalid because not reserved in accordance with repealed Enactment.

2. No Law heretofore passed in any of the afore-mentioned Colonies shall be or be deemed to have been invalid on the Ground that such Law being a Law altering or affecting the Duties of Customs aforesaid has not been reserved for the Signification of Her Majesty's Pleasure thereon.

New South Wales and Van Diemen's Land Government. [H.L.]

A

B I L L

INTITULED

An Act to repeal Part of an Act intituled "An Act for the Government "of New South Wales and Van Diemen's Land."

Brought from the Lords 24 *July* 1866.

Ordered, by The House of Commons, *to be Printed,*
25 *July* 1866.

[Bill 242.]

Under 1 *oz.*

A

B I L L

TO

Guarantee the Liquidation of Bonds issued for the Repayment of Advances made out of Public Funds for the Service of the Colony of New Zealand.

WHEREAS by an Act passed by the General Assembly of New Zealand in Twenty-seventh Year of Her present Majesty, intituled, The New Zealand Loan Act of 1863, Provision was made for borrowing on Bond, Debenture, or otherwise, Sums of Money not exceeding Three million Pounds Sterling, which Sums, and the Interest thereon, were by the said Act charged on the ordinary Revenue of New Zealand as therein set forth: Preamble.

And whereas the Agents appointed by Authority of the said Act to borrow the aforesaid Sums of Money have, by Direction of the Government of New Zealand, issued and placed in the Hands of the Commissioners of Her Majesty's Treasury Debentures to the Amount of Five hundred thousand Pounds Sterling, which Debentures are held by the said Commissioners as collateral Security for the Repayment of certain Sums of Money due from the Government of New Zealand to Her Majesty's Exchequer:

And whereas, in order to make the said Debentures available for such Repayment, it is expedient that the said Commissioners should be empowered to guarantee the due Payment of the Principal and Interest of the said Debentures:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury may guarantee Principal and Interest of Debentures.

1. It shall be lawful for the Commissioners of Her Majesty's Treasury by the Signature of their Assistant Secretary to guarantee, either absolutely, or subject to such Conditions as they shall think fit, the Payment of the Principal Sums and Interest which may from Time to Time become due from the Government of New Zealand on the aforesaid Debentures, being of the Numbers and Amounts specified in the Schedule to this Act; and in case any Failure shall take place in the regular Payment of the said Principal and Interest, it shall be lawful for the said Commissioners to cause to be paid out of the growing Produce of the Consolidated Fund of the United Kingdom of Great Britain and Ireland such Sums as may from Time to Time be required to make good such Failure.

Account of all Sums issued under Authority of this Act to be laid before Parliament.

2. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament within *Fourteen* Days next after the beginning of every Session, an Account of all Sums from Time to Time issued out of the Consolidated Fund of the United Kingdom by virtue of this Act towards making good any such Failure as aforesaid, and also an Account of all Sums repaid by or recovered from the Colony of New Zealand by reason of such Issue, with the Interest paid or recovered thereon.

Nothing in recited Act of New Zealand rendered void on account of any Repugnancy to 20 & 21 Vict. c. 51.

3. And whereas by an Act of the General Assembly of New Zealand passed in the Twenty-seventh Year of Her Majesty, intituled "An Act to enable the Governor to establish Settlements "for Colonization in the Northern Island of New Zealand," Provision was made for the Proclamation of certain Districts within the said Colony, and for setting apart within such Districts eligible Sites for Settlements for Colonization, and for other Matters therein mentioned: And whereas Doubts are entertained whether the Provisions of the said Act, or some of them, may not be void by reason of their Repugnancy to the Third Section of an Act of Parliament of the Twentieth and Twenty-first Years of Her Majesty, intituled "An Act to guarantee a Loan for the Service of New Zealand:" Be it enacted as follows: Nothing in the said Act to enable the Governor to establish Settlements for Colonization in the Northern Island of New Zealand shall be or be deemed to have been void or inoperative on account of any Repugnancy to any of the Provisions of the last-mentioned Act of Parliament or of this Act.

Repeal of 27 & 28 Vict. c. 82.

4. The Act passed in the Twenty-seventh and Twenty-eighth Year of Her Majesty, intituled "An Act to guarantee the Liquidation of a Loan for the Service of the Colony of New Zealand, is hereby repealed.

SCHEDULE referred to in the foregoing Act.

Debentures bearing Interest at the Rate of Four per Cent. per Annum redeemable in Fifty Years from the 1st November 1865.

Nos. of Bonds.						
1 to 200	=	200 Bonds of	£1,000	=	£200,000
1,001 to 1,300	=	300 Bonds of	500	=	150,000
2,251 to 2,625	=	375 Bonds of	200	=	75,000
501 to 1,250	=	750 Bonds of	100	=	75,000
			Total	-	£500,000

New Zealand.

A

B I L L

To guarantee the Liquidation of Bonds issued for the Repayment of Advances made out of Public Funds for the Service of the Colony of New Zealand.

(*Prepared and brought in by*
Mr. Dodson, Mr. Hunt, and Mr. Adderley.)

Ordered, by The House of Commons, *to be Printed,*
19 *July* 1866.

[Bill 225.]

Under 1 *oz.*

A

B I L L

TO

Amend the Nuisances Removal and Diseases Prevention Act, 1860.

Preamble.

WHEREAS it is expedient that the Provisions of the Act Twenty-third and Twenty-fourth Victoria, Chapter Seventy-seven, as to the Power of Justices of the Peace to act in Cases other than Appeals arising under "The Nuisances Removal Act for England, 1855," should be repealed, and that the said Act of the Twenty-third and Twenty-fourth Victoria, Chapter Seventy-seven, should be amended as herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of 23 & 24 Vict. c. 77. s. 16.

1. The Sixteenth Section of the Act of the Twenty-third and Twenty-fourth Victoria, Chapter Seventy-seven, shall be and is hereby repealed.

No Justice to be incapable of acting because Member of Body authorized

2. No Justice of the Peace shall be deemed incapable of acting in Cases under the Nuisances Removal Act, or the Act of the Twenty-third and Twenty-fourth Victoria, Chapter Seventy-seven, by reason of his being a Member of any Body thereby declared to be the Authority to execute the said Act, or by reason of his being a Conto execute Act or liable to contribute.

a Contributor or liable to contribute to any Rate or Fund out of which it is thereby provided that all Charges and Expenses incurred in executing the said Act, and not recovered as therein provided, shall be defrayed.

3. This Act may be cited as "The Nuisances Removal Act, (No. 1), 1866."

Nuisances Removal.

A

BILL

To amend the Nuisances Removal and Diseases Prevention Act, 1860.

(Prepared and brought in by
Mr. Knatchbull-Hugessen and Sir George Grey.)

Ordered, by The House of Commons, *to be Printed,*
17 *May* 1866.

[Bill 164.]

Under 1 *oz.*

A

BILL

TO

Authorize and provide for the Appointment of One Overseer of the Poor in small Parishes.

WHEREAS it is expedient to amend the Law which requires that Two or more Overseers of the Poor shall be appointed in every Parish : **Preamble.**

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

One Overseer only may be appointed for small Parishes.

1. If in any Parish it shall appear to the Justices who are required to appoint Overseers that Two Overseers cannot be conveniently appointed from the Inhabitant Householders thereof, such Justices may appoint One only, and if it shall appear to them that there is no such Householder liable or fit to be appointed, they shall appoint some Inhabitant Householder of an adjoining Parish, willing to serve to be such Overseer, either with or without an annual Salary to be paid out of the Poor Rate of the Parish, and to be approved of by the Poor Law Board, which last-mentioned Appointment shall endure until the usual Time of the Appointment of Overseers, and may be renewed from Year to Year, as long as the Justices shall find necessary.

The Offices of Churchwarden and Overseer may be held by the same Person.

2. In any such Parish the same Person may hold jointly the Offices of Churchwarden and Overseer, if, in the Opinion of the Justices appointing the Overseer, it shall be expedient, regard being had to the State of the Parish, that he should do so.

Interpretation Clause.

3. The Word "Parish" shall, besides other Meanings applicable to it, signify a Place for which a separate Poor Rate is or can be made, or for which a separate Overseer is or can be appointed; and all the Provisions now in force contained in the several Statutes relating to the Amendment of the Poor Law shall, so far as they are consistent herewith, be extended to this Statute.

Overseer of the Poor
(Small Parishes).

A

B I L L

To authorize and provide for the Appointment of One Overseer of the Poor in small Parishes.

(*Prepared and brought in by*
Mr. Howes, Mr. Bagge, and Mr. De Grey.)

Ordered, by The House of Commons, *to be Printed*,
17 *July* 1866.

[Bill 214.]

Under 1 *oz.*

A

BILL

TO

Validate certain Licences granted in Ireland for the Establishment of Oyster Beds.

Preamble. 5 & 6 Vict. c. 106. and the Acts amending the same.

WHEREAS an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act to regulate the Irish Fisheries," and which said Act has since been amended by a certain Act of the Session held in the Eighth and Ninth Years of the Reign of Her said Majesty, Chapter One hundred and eight, and by a certain other Act of the Session held in the Thirteenth and Fourteenth Years of the same Reign, Chapter Eighty-eight, and by other Acts, and by the said Acts Provision is made for the Protection and Regulation of the Oyster Fisheries in Ireland, and for the granting of Licences to Owners and Occupiers of Lands and others to plant and form Oyster Beds and Layings:

And whereas, under and by virtue of the Provisions of the said Acts, Licences have heretofore been granted to divers Persons to form Oyster Beds in Ireland, and many of such Beds have been formed accordingly, and Doubts have arisen as to the Operation of such Licences, and the Extent of the Rights acquired under them, and it is expedient to declare the Right of Persons claiming under such Licences:

Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Declaration as to Licences heretofore granted.

1. Every Licence heretofore granted by the Commissioners for executing the aforesaid Acts to any Person or Persons shall be deemed to be effectual to vest in such Licencee, his Heirs and Assigns, the exclusive Right of laying and planting Oysters and fishing for Oysters in the Oyster Bed or Laying by such Licence authorized to be formed, according to the Tenor and Effect of such Licence, free from all prior or other Rights, Titles, Estates, or Interests whatsoever.

Penalties for injuring Oyster Beds.

2. It shall not be lawful for any Person other than the Licencees or their Assigns, their Agents, Servants, and Workmen, within the Limits of any Oyster Bed or Laying, knowingly to do any of the following Things:—

To use any Implement of Fishing, except a Line and Hook or a Net adapted solely for catching floating Fish:

To dredge for any Ballast or other Substance except under a lawful Authority for improving the Navigation:

To deposit any Ballast, Rubbish, or other Substance:

To place any Implement, Apparatus, or Thing prejudicial or likely to be prejudicial to any Oyster Bed or Oysters, or Brood or Spawn thereof, or to the Oyster Fishery, except for a lawful Purpose of Navigation or Anchorage:

To disturb or injure in any Manner, except as last aforesaid, any Oyster Bed or Oysters, or Brood or Spawn thereof, or the Oyster Fishery:

To interfere with or take away any of the Oysters from such Bed, without the Consent of the Licencees or Owners or Occupiers of such Bed:

And if any Person does any Act in contravention of this Section, he shall on summary Conviction be liable to the following Penalty, namely,—to a Penalty not exceeding *Two Pounds* for the First Offence, and not exceeding *Five Pounds* for the Second Offence, and not exceeding *Ten Pounds* for the Third and every subsequent Offence; and every such Person shall also be liable to make full Compensation to the Licencees for all Damage sustained by them by reason of his unlawful Act, and in default of Payment the same may be recovered from him by the Grantees by Proceedings in any Court of competent Jurisdiction, whether he has been prosecuted for or convicted of an Offence against this Section or not.

Power to the Commissioners to revoke Licences in certain Cases.

3. In any Case where any such Licence has been granted by the said Commissioners, if it shall appear to the said Commissioners that the Licencee under such Licence, or his Assigns, within the Period of *Three Years* after the passing of this Act has not taken proper Steps to form the Oyster Bed or Laying in such Licence mentioned, then and in such Case it shall be lawful for the said Commissioners or any Two of them, by an Order in Writing under their Hands, to revoke such Licence, and thereupon all the Rights and Privileges by such Licence shall cease and determine: Provided always, that previously to the making of such Order the said Commissioners shall cause a Notice in Writing, stating their Intention to make such Order, to be served upon the Person for the Time being entitled to such Licence, or in case such Person cannot be found, the Commissioners shall cause such Notice to be inserted as an Advertisement Three Times at least in some Newspaper circulating in the District; and no such Order shall be made till after the Expiration of *One Month* from the Service of such Notice, or from the Date of the last of such Advertisements, which shall last happen.

This Act to be read together with former Acts.

4. This Act shall be read together and construed as One Act with the said Acts now in force for the Regulation of the Fisheries in Ireland.

Repeal of 8 & 9 Vict. c. 108. § 18. and 13 & 14 Vict. c. 88. § 42.

5. From and after the passing of this Act the Eighteenth Section of the Eighth and Ninth Victoria, Chapter One hundred and eight, and the Forty-second Section of the Thirteenth and Fourteenth Victoria, Chapter Eighty-eight, shall be and the same are hereby repealed.

Oyster Bed Licences (Ireland).

A

B I L L

To validate certain Licences granted in Ireland for the Establishment of Oyster Beds.

(Prepared and brought in by
Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, and Mr. Chichester Fortescue.)

Ordered, by The House of Commons, *to be Printed,*
4 *June* 1866.

[Bill 175.]

Under 1 *oz.*

A

B I L L

FURTHER

To promote the Cultivation of Oysters in Ireland, and to amend the Acts for that Purpose.

Preamble.

5 & 6 Vict. c. 106., and the Acts amending the same.

WHEREAS an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act to regulate the Irish "Fisheries," and which said Act has since been amended by a certain Act of the Session held in the Eighth and Ninth Years of the Reign of Her said Majesty, Chapter One hundred and eight, and by a certain other Act of the Session held in the Thirteenth and Fourteenth Years of the same Reign, Chapter Eighty-eight, and by other Acts; and by the said Acts Provision is made for the Protection and Regulation of the Oyster Fisheries in Ireland, and for the granting of Licences to Owners and Occupiers of Lands and others to plant and form Oyster Beds and Layings:

And whereas it is expedient to promote the Cultivation of Oysters in all Places where no substantially profitable public Right of Fishing for Oysters exists; and to amend the said Statutory Enactments in force in Ireland, so far as regards such Oyster Fisheries and Oyster Beds and Layings, and the Formation, Encouragement, and Protection of the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of so much of the said Acts as relates to the granting of Licences.

1. From and after the *passing of this Act* so much of the aforesaid Acts of Parliament and of any Act amending or extending the same as relates to the granting of Licences to form Oyster Beds or Layings shall be and the same is hereby repealed: Provided always, that as to all Acts done, Rights conferred, or Penalties or Liabilities incurred by virtue of the said Statutes before the *passing of this Act*, the said Enactment so hereby repealed shall be deemed to continue in full Force and Effect.

Short Title of Act.

2. This Act may be cited for all Purposes as the "Oyster Fishery Amendment Act, 1866."

Construction of Terms.

3. In the Construction of this Act the Term "Commissioners" shall mean the Commissioners of Public Works in Ireland as Commissioners of Fisheries, together with the inspecting Commissioner of Fisheries in Ireland for the Time being, associated with them for the Purpose of executing the said Acts, or any One or more of them.

"Owner" defined.

The term "Owner of Lands" shall mean any Person entitled to the Possession or Receipt of the Rents and Profits of Lands for an Estate for his own Life, or for Years determinable on his own Life, or for any greater Estate, exclusive of any Person entitled to such Lands by virtue of any Lease for Lives or Years at a Rackrent.

Commissioners to grant Licences.

4. It shall be lawful for the Commissioners to grant a Licence to the Owner of any Land bordering on the Sea, or any Estuary, or to any Person or Persons, with the Consent of such Owner, to form or plant any Oyster Bed or Laying, whether above or below Low-water Mark: Provided always, that the forming and planting of such Oyster Beds shall not give any exclusive Right or Title to the Occupancy of the Shore, except for the Purposes aforesaid.

Such Licence to be in Writing.

5. Every such Licence shall be in Writing and under the Hands of the said Commissioners, or any *Two* of them, and shall, by reference to a Map or otherwise, as to the Commissioners shall seem best, define the Position and Limits of such Oyster Bed or Laying, and may be made subject to such Conditions and Limitations, and may be perpetual or terminable, as to the said Commissioners shall seem proper.

Notice to be given previously to

6. Previously to the granting any such Licence as aforesaid, the said Commissioners shall cause a Notice, stating the Application for such Licence, to be inserted in some Newspaper circulating in or near the District within which such Licence may be applied for; and such Notice shall also state the Time and Place (not sooner than *Three Weeks* from the Date of such Notice) when and where the said Commissioners, or any Inspector appointed by them, shall hold a public Inquiry in the said District as to the Expediency of granting the same; and every such Notice shall be given at least Three Times in some Newspaper circulating in such District; and no such Licence shall be granted in any Place where the said Commissioners shall be of opinion that the Public exercise and enjoy bonâ fide a substantially profitable Fishing for Oysters, nor within the Limits of any Oyster Bed or Oyster Fishery the Property of any private Person.

the granting of such Licence.

No Licence to be granted where a public Right of Fishing exists.

7. When any such Licence shall be granted Notice thereof shall be given in like Manner as aforesaid in respect to the Application for any such Licence, and a true Copy of every such Licence so granted by the said Commissioners, signed by the Secretary of the said Commissioners, shall be lodged with the Clerk of the Peace of the County within which such Licence shall operate; and a Copy of such Licence, certified under the Hand of such Clerk of the Peace, shall be admitted in Evidence in all Courts of Justice, in the same Manner as if the said Copy was the original Licence of which it shall purport to be a Copy.

Notice to be given of the granting of such Licence.

A Copy of such Licence to be lodged with the Clerk of the Peace and to be Evidence.

8. At any Time within the Period of *One Month* after the granting of such Licence it shall be lawful for any Person or Persons dissatisfied with the same to apply by way of Memorial to the Lord Lieutenant in Council that such Licence may be vacated; and Notice of every such Memorial, by way of Appeal, shall be given to the Licencee and to the Commissioners; and the Lord Lieutenant in Council shall adjudicate upon the Matter of such Memorial, and either confirm or vacate such Licence as to him shall appear expedient.

Appeal to the Lord Lieutenant in Council.

9. Every such Licence so granted as aforesaid, if unappealed from as aforesaid, or if confirmed on such Appeal, shall be binding and conclusive on all Persons whomsoever, including the Queen's most Excellent Majesty, and shall operate to vest in the Licencee or Licencees, and their Heirs, Executors, Administrators, and Assigns, such Rights and Privileges as shall be thereby given according to the Tenor of the same, free from all prior or other Rights, Titles, Estates, or Interests whatsoever.

Effect of such Licence.

10. That notwithstanding anything in any Licence heretofore granted, or hereafter to be granted by the Commissioners, the same shall be determinable by a Certificate of the Commissioners (which Certificate they are hereby empowered to make) certifying to the Effect that the Commissioners are not satisfied that the Licencee is properly cultivating the Oyster Ground within the Limits of such Licence; and on any such Certificate being made the Right by such Licence conferred shall by virtue of this Act, and of the Certificate as aforesaid, be absolutely determined, and all the Provisions of the Acts herein-before recited and referred to, or of this Act, shall cease to operate in relation to such Licence as an Oyster Fishery, or otherwise; and for the Purposes of this Provision the Commissioners may from Time to Time with respect to such Licence or Oyster Fishery make such Inquiries and Examinations by an Inspector, or otherwise, and require from such Licencee such Information as the Commissioners may think necessary or proper; and the Licencee shall afford all Facilities for such Inquiries and Examinations, and give such Informatoin accordingly.

Offenders to be prosecuted at Petty Sessions.

11. In all Cases where any Person shall commit any Offence against any Act of Parliament, or any Section of any Act of Parliament, for the Protection of or relating to Oyster Fisheries in Ireland, such Person may be prosecuted in a summary Way before any Justice of the Peace sitting in Petty Sessions; and all the Provisions of the "Petty Sessions Act, Ireland, 1851," as to Appeals or otherwise, shall apply to such Offences, and to the Jurisdiction of such Justices to adjudicate on the same: Provided always, that nothing herein contained shall be construed or taken to repeal or affect the Provisions contained in the Act first herein-before recited, and relating to Offences against the said Act, or any of the Acts amending the same.

A Copy of Licence certified by Clerk of the Peace to be Evidence.

12. The Production of a Copy of any such Licence certified under the Hand of any such Clerk of the Peace shall be Evidence in all Courts of Law and Equity that the Licence of which the same may purport to be a Copy was duly granted by the said Commissioners, and that all Matters and Things by this Act required to be done previously to the granting of such Licence have been duly done and performed.

Penalties for injuring Oyster Beds.

13. It shall not be lawful for any Person other than the Licencees, or their Assigns, their Agents, Servants, and Workmen, within the Limits of any Oyster Bed or Laying, knowingly to do any of the following Things:—

To use any Implement of Fishing, except a Line and Hook or a Net adapted solely for catching floating Fish:

To dredge for any Ballast or other Substance except under a lawful Authority for improving the Navigation:

To deposit any Stone, Ballast, Rubbish, or other Substance:

To place any Implement, Apparatus, or Thing prejudicial or likely to be prejudicial to any Oyster Bed or Oysters, or Brood or Spawn thereof, or to the Oyster Fishery, except for a lawful Purpose of Navigation or Anchorage:

To disturb or injure in any Manner, except as last aforesaid, any Oyster Bed or Oysters, or Brood or Spawn thereof, or the Oyster Fishery:

To interfere with or take away any of the Oysters from such Bed, without the Consent of the Licencees or Owners or Occupiers of such Bed.

And if any Person does any Act in contravention of this Section he shall on summary Conviction be liable to the following Penalty, namely, to a Penalty not exceeding *Two Pounds* for the First Offence, and not exceeding *Five Pounds* for the Second Offence, and not exceeding *Ten Pounds* for the Third and every subsequent Offence; and every such Person shall also be liable to make full Compensation to the Licencees for all Damage sustained by them by reason of his unlawful Act, and in default of Payment the same may be recovered from him by the Grantees by Proceedings in any Court of competent Jurisdiction, whether he has been prosecuted for or convicted of an Offence against this Section or not.

Power to the Commissioners to revoke Licences in certain Cases.

14. That in any Case where any such Licence shall be granted by the said Commissioners, if it shall appear to them that the Licencee under such Licence, or his Assigns, within the Period of *Five Years* from the Date of such Licence has not taken Steps proper in their Opinion to form the Oyster Bed or Laying in such Licence mentioned, then and in such Case it shall be lawful for the said Commissioners or any *Two* of them, by an Order in Writing under their Hands, to revoke such Licence, and thereupon all the Rights and Privileges by such Licence shall cease and determine: Provided always, that previously to the making of such Order the said Commissioners shall cause a Notice in Writing, stating their Intention to make such Order to be served upon the Person for the Time being entitled to such Licence, or in case such Person cannot be found, the Commissioners shall cause such Notice to be inserted as an Advertisement *Three* Times at least in some Newspaper circulating in such District; and no such Order shall be made till after the Expiration of *One Month* from the Service of such Notice, or from the Date of the last of such Advertisements which shall last happen.

Power to alter Licences heretofore granted so as to give Effect to any Agreements.

15. That notwithstanding anything in any Act to the contrary, it may be lawful for the Commissioners to alter any Licence heretofore granted by them, or to grant a new Licence in lieu thereof, to the Licencee or his Representative, so as to give Effect to any Agreement or Undertaking which may have been given or entered into by or on behalf of any such Licencee with any Person or Body subsequently to the Date of any such Licence.

This Act to be read together with former Acts.

16. This Act shall be read together and construed as One Act with the said Acts now in force for the Regulation of the Sea Fisheries in Ireland.

Oysters Cultivation (Ireland).

A

BILL

Further to promote the Cultivation of Oysters in Ireland, and to amend the Acts for that Purpose.

(Prepared and brought in by Lord Naas and Mr. Hunt.)

Ordered, by The House of Commons, *to be Printed,*
25 *July* 1866.

[Bill 243.]

Under 1 *oz.*

Oyster Fisheries Bill.

ARRANGEMENT OF CLAUSES.

Clauses.
1. Short Title.
2. Repeal of Enactments in Schedule.
3. Power for Board of Trade on Memorial to make Order for Oyster Fishery.
4. Publication of Draft Order and Notice to Owners of adjoining Lands, &c.
5. Objections and Representations respecting Order.
6. Inquiry into proposed Order by public Sittings.
7. Report of Inspector.
8. Settlement and making of Order.
9. Publication of Order.
10. Expenses connected with Order.
11. Confirmation of Order by Act of Parliament.
12. Reference of Order to Select Committee if opposed.
13. Amendment of Order.
14. Power for Grantees to remove Oysters, &c. from public to private Oyster Bed at all Seasons. 6 & 7 Vict. c. 79.
15. Byelaws of Commissioners in Ireland not to apply. 8 & 9 Vict. c. 108. s. 20.
16. Effect of Grant of Several Oyster Fishery.
17. Property in Oysters within Several Fishery.
18. Property in Oysters removed from Several Fishery.
19. Protection of Several Fishery.
20. Limits of Fishery to be kept marked out.
21. Appointment of Water Bailiff in Ireland. 8 & 9 Vict. c. 108. s. 21.
22. Fishery to be within County.
23. Limitation on Term of Several Fishery.
24. Condition for Cesser of Several Fishery, if no adequate Benefit.
25. Consent with respect to Crown or Duchy Rights.
26. Order not to be made affecting Local Act, &c. without Consent.
27. Copies of Order and Acts to be kept for Sale.
28. Annual Report of Board of Trade.

THE SCHEDULE.

A

BILL

TO

Facilitate the Establishment, Improvement, and Maintenance of Oyster Fisheries.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as The Oyster Fisheries Act, 1866.

Repeal of Enactments in Schedule.

2. The Enactments described in the Schedule to this Act are hereby repealed, but this Repeal shall not affect the past Operation of any such Enactment, or the Force or Operation of any Licence or Permission given, or the Validity or Invalidity of anything done or suffered, or any Right, Title, Obligation, or Liability accrued before the passing of this Act; and every such Licence or Permission, and in relation thereto the Enactments described in the Schedule to this Act, shall continue and be as if this Act had not been passed.

Power for Board of Trade on Memorial to make Order for Oyster Fishery.

3. An Order for the Establishment or Improvement, and for the Maintenance and Regulation, of an Oyster Fishery on the Shore and Bed of the Sea, or of an Estuary or tidal River, above or below, or partly above and partly below Low-water Mark (which Shore and Bed are in this Act referred to as the Sea Shore), may be made under this Act, on an Application by a Memorial in that Behalf presented to the Board of Trade by any Persons, Company, or Body desirous of obtaining such an Order (which Persons, Company, or Body are in this Act referred to as the Promoters).

Publication of Draft Order and Notice to Owners of adjoining Lands, &c.

4. If on Consideration of the Memorial the Board of Trade think fit to proceed in the Case, the Promoters shall cause printed Copies of the Draft of the Order as proposed by them (with such Modifications, if any, as the Board of Trade require) to be circulated in such Manner as the Board of Trade think sufficient and proper for giving Information to all Parties interested, and shall give Notice of the Application in such Manner as the Board of Trade direct or approve, to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers (if any) of the Portion of the Sea Shore to which the proposed Order relates, and of the Lands fronting thereon.

Objections and Representations respecting Order.

5. During *One Month* after the first Publication of the Draft Order the Board of Trade shall receive any Objections or Representations made to them in Writing respecting the proposed Order.

Inquiry into proposed Order by public Sittings.

6. Where the Promoters seek to obtain a Several Oyster Fishery, the Board of Trade shall, as soon as conveniently may be after the Expiration of the said *Month*, and in other Cases the Board of Trade, if they think fit, at any Time after the Expiration of that *Month* may, appoint some fit Person to act as Inspector respecting the proposed Order.

The Inspector shall proceed to make an Inquiry concerning the Subject Matter of the proposed Order, and for that Purpose to hold a Sitting or Sittings in some convenient Place in the Neighbourhood of the Portion of the Sea Shore to which the proposed Order relates, and thereat to take and receive any Evidence and Information offered and hear and inquire into any Objections or Representations made respecting the proposed Order, with Power from Time to Time to adjourn any Sitting.

Notice shall be published in such Manner as the Board of Trade direct of every such Sitting (except an adjourned Sitting) *Fourteen Days* at least before the holding thereof.

Report of Inspector.

7. The Inspector shall make a Report in Writing to the Board of Trade, setting forth the Result of the Inquiry, and stating whether in his Opinion the proposed Order should be approved, with or without Alteration, and if with any, then with what Alteration, and his Reasons for the same, and the Objections and Representations, if any, made on the Inquiry, and his Opinion thereon.

8. As soon as conveniently may be after the Expiration of the said *Month*, or after the Receipt by the Board of Trade of the Report of the Inspector, if any, they shall proceed to consider the Objections or Representations that have been made respecting the proposed Order and the Report of the Inspector, if any, and thereupon they shall either refuse the Application or settle and make an Order in such Form and containing such Provisions as they think expedient.

Settlement and making of Order.

9. Where the Board of Trade make an Order, the Promoters shall cause it to be published and circulated in such Manner as the Board of Trade think sufficient for giving Information to all Parties interested, and shall give Notice of it, in such Manner as the Board of Trade direct or approve, to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers (if any) of the Portion of the Sea Shore to which the Order relates, and of the Lands fronting thereon.

Publication of Order.

10. All Expenses incurred by the Board of Trade in relation to any Memorial, or to any Order consequent thereon, shall be defrayed by the Promoters, and the Board of Trade shall, if they think fit, on or at any Time after the Presentation of the Memorial, require the Promoters to pay to the Board of Trade such Sum as the Board of Trade think requisite for or on account of those Expenses, or to give Security to the Satisfaction of the Board of Trade for the Payment of those Expenses on Demand.

Expenses connected with Order.

11. An Order of the Board of Trade under this Act shall not of itself have any Operation, but the same shall have full Operation when and as confirmed by Act of Parliament, with such Modifications, if any, as to Parliament seem fit.

Confirmation of Order by Act of Parliament.

12. If in the Progress through Parliament of a Bill confirming an Order, a Petition is presented to either House of Parliament against the Order, the Bill, as far as it relates to the Order petitioned against, may be referred to a Select Committee, and the Petitioner shall be allowed to appear and oppose as in case of a Private Bill.

Reference of Order to Select Committee if opposed.

13. The Board of Trade may from Time to Time make an Order for amending an Order that has been confirmed by Act of Parliament; and all the Provisions of this Act relative to an original Order shall apply also to an amending Order, mutatis mutandis.

Amendment of Order.

14. Subject and without Prejudice to the Provisions of the Act of the Session of the Sixth and Seventh Years of Her Majesty's Reign (Chapter Seventy-nine), "to carry into effect the Convention "between Her Majesty and the King of the French concerning the "Fisheries

Power for Grantees to remove Oysters, &c. from public to private

Oyster Bed at all Seasons. 6 & 7 Vict. c. 79.

"Fisheries in the Sea between the British Islands and France," and of any Order in Council lawfully made thereunder, and notwithstanding anything in or done under any other Act, the Persons, Company, or Body obtaining an Order under this Act, (who are in this Act referred to as the Grantees,) their Agents, Servants, and Workmen, may at any Season dredge for and take Oysters or the Brood or Spawn of Oysters from any natural public Oyster Bed for the Purpose of supplying or replenishing therewith any Oyster Bed made under the Order, and may apply the Oysters, Brood, or Spawn so taken accordingly; but if any Person applies or uses, or any Persons, Company, or Body knowingly authorize or permit to be applied or used, otherwise than in manner authorized by this Section, any Oysters, Brood, or Spawn so taken, such Person, or such Persons, Company, or Body (as the Case may be), shall be liable to all the like Penalties and Consequences to which he or they would have been liable if this Section had not been inserted in this Act.

Byelaws of Commissioners in Ireland not to apply. 8 & 9 Vict. c. 108. s. 20.

15. The Powers of Section Twenty of the Act of the Session of the Eighth and Ninth Years of Her Majesty's Reign (Chapter One hundred and eight), "for the further Amendment of an Act of the "Sixth Year of Her present Majesty for regulating the Irish "Fisheries," shall not apply to any Oyster Fishery authorized or regulated by an Order of the Board of Trade under this Act, or to the Grantees under such Order.

Effect of Grant of Several Oyster Fishery.

16. Where an Order of the Board of Trade under this Act confers a Right of Several Oyster Fishery, the Grantees under the Order shall have by virtue of the Order and of this Act, within the Limits of the Fishery, the exclusive Right of depositing, propagating, dredging and fishing for, and taking Oysters or the Brood or Spawn of Oysters; and in the Exercise of that Right may, within the Limits of the Fishery, proceed as follows, namely,—make and maintain Oyster Beds, and (notwithstanding any other Act) at any Season collect Oysters and the Brood or Spawn of Oysters, and remove the same from Place to Place, and deposit the same as and where they think fit, and do all other Things which they think proper for obtaining, storing, and disposing of the Produce of their Fishery.

Property in Oysters within Several Fishery.

17. All Oysters and Brood or Spawn of Oysters being in or on an Oyster Bed within the Limits of any such Several Fishery shall be the absolute Property of the Grantees, and in all Courts of Law and Equity and elsewhere, and for all Purposes, Civil, Criminal, or other, shall be deemed to be in the actual Possession of the Grantees.

18. All Oysters and Brood or Spawn of Oysters removed by any Person from an Oyster Bed within the Limits of any such Several Fishery, and not either sold in Market overt or disposed of by or under the Authority of the Grantees, shall be the absolute Property of the Grantees, and in all Courts of Law and Equity and elsewhere, and for all Purposes, Civil, Criminal, or other, the absolute Right to the Possession thereof shall be deemed to be in the Grantees.

Property in Oysters removed from Several Fishery.

19. It shall not be lawful for any Person other than the Grantees, their Agents, Servants, and Workmen, within the Limits of any such Several Fishery, or in any Part of the Space within the same described in this Behalf in the Order, knowingly to do any of the following Things:—

Protection of Several Fishery.

To use any Implement of Fishing, except a Line and Hook or a Net adapted solely for catching floating Fish:

To dredge for any Ballast or other Substance except under a lawful Authority for improving the Navigation:

To deposit any Ballast, Rubbish, or other Substance:

To place any Implement, Apparatus, or Thing prejudicial or likely to be prejudicial to any Oyster Bed or Oysters, or Brood or Spawn thereof, or to the Oyster Fishery, except for a lawful Purpose of Navigation or Anchorage:

To disturb or injure in any Manner, except as last aforesaid, any Oyster Bed or Oysters, or Brood or Spawn thereof, or the Oyster Fishery:

And if any Person does any Act in contravention of this Section, he shall on Summary Conviction be liable to the following Penalty, namely,—to a Penalty not exceeding *Two Pounds* for the First Offence, and not exceeding *Five Pounds* for the Second Offence, and not exceeding *Ten Pounds* for the Third and every subsequent Offence; and every such Person shall also be liable to make full Compensation to the Grantees for all Damage sustained by them by reason of his unlawful Act, and in default of Payment the same may be recovered from him by the Grantees by Proceedings in any Court of competent Jurisdiction, whether he has been prosecuted for or convicted of an Offence against this Section or not.

20. Provided always, That nothing in the last foregoing Section shall make it unlawful for any Person to do any of the Things therein mentioned, if at the Time of his doing the same the Limits of the Several Fishery or of the Space within the same described in that Behalf in the Order are not sufficiently marked out in manner prescribed by or under the Order.

Limits of Fishery to be kept marked out.

21. The Provisions of Section Twenty-one of the said Act of the Session of the Eighth and Ninth Years of Her Majesty's Reign,

Appointment of Water Bailiff in

Ireland. 8 & 9 Vict. c. 108. s. 21.

Chapter One hundred and eight, shall extend and apply to any Oyster Bed or Laying made under, or any Oyster Fishery authorized or regulated by, an Order of the Board of Trade under this Act.

Fishery to be within County.

22. The Portion of the Sea Shore to which an Order of the Board of Trade under this Act relates (as far as it is not by Law within the Body of any County) shall for all Purposes of Jurisdiction be deemed to be within the Body of the adjoining County, or to be within the Body of each of the adjoining Counties, if more than One.

Limitation on Term of Several Fishery.

23. The Board of Trade shall not in any Case make an Order conferring a Right of Several Oyster Fishery for a longer Period at once than *Thirty Years.*

Condition for Cesser of Several Fishery, if no adequate Benefit.

24. A Right of Several Oyster Fishery conferred by an Order of the Board of Trade under this Act shall, notwithstanding anything in the Order, be determinable by a Certificate of the Board of Trade (which Certificate they are hereby empowered to make), certifying to the Effect that the Board of Trade are not satisfied that the Grantees are properly cultivating the Oyster Ground within the Limits of such Fishery; and on any such Certificate being made, the Right of Several Fishery by such Order conferred shall, by virtue of this Act and of the Certificate, be absolutely determined, and all Provisions of this Act shall cease to operate in relation to such Fishery as a Several Oyster Fishery.

For the Purposes of this Provision the Board of Trade may from Time to Time, with respect to any such Fishery, make such Inquiries and Examination by an Inspector or otherwise, and require from the Grantees such Information, as the Board of Trade think necessary or proper, and the Grantees shall afford all Facilities for such Inquiries and Examination, and give such Information, accordingly.

Consent with respect to Crown or Duchy Rights.

25. Where any Portion of the Sea Shore proposed to be comprised in an Order of the Board of Trade under this Act belongs to Her Majesty, Her Heirs or Successors, in right of the Crown, but is not under the Management of the Board of Trade, or forms Part of the Possessions of the Duchy of Lancaster or of the Duchy of Cornwall, the Board of Trade shall not make the Order without such Consent as herein-after mentioned, namely,—

In the first-mentioned Case of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them:

In the secondly-mentioned Case of the Chancellor of the Duchy of Lancaster in Writing under his Hand attested by the Clerk of the Council of the Duchy:

In the thirdly-mentioned Case of the Duke of Cornwall, or other the Persons for the Time being empowered to dispose for any Purpose of Lands of the Duchy of Cornwall.

26. It shall be the Duty of the Board of Trade not to make in any Case an Order that will take away or abridge any Right, Privilege, Power, Jurisdiction, or Authority given or reserved to any Body, Company, or Person by any Local or Special Act of Parliament, or by any Licence or Permission in Writing given under any Enactment mentioned in the Schedule to this Act, without the Consent of such Body, Company, or Person; but every Order, when confirmed by Act of Parliament, shall be of full Force and Effect, any Local or Special Act, Charter, Custom, Licence, Permission, Instrument, or Thing notwithstanding.

Order not to be made affecting Local Act, &c. without Consent.

27. The Persons, Company, or Body obtaining an Order under this Act shall at all Times keep at some convenient Place, in the Neighbourhood of the Portion of the Sea Shore to which the Order relates, Copies of the Order with the Act confirming it, and of this Act, printed respectively by some of Her Majesty's Printers, and shall sell such Copies to all Persons desiring to buy them at a Price not exceeding *Sixpence* for One Copy of each of the Acts and of the Order together.

If any such Persons, Company, or Body fail to comply with this Provision, they shall for every such Offence be liable on summary Conviction to a Penalty not exceeding *Five Pounds,* and to a further Penalty not exceeding *One Pound* for every Day during which such Failure continues after the Day on which the First Penalty is incurred.

Copies of Order and Acts to be kept for Sale.

28. There shall be annually laid before both Houses of Parliament a Report of the Board of Trade, respecting the Applications to and Proceedings of the Board of Trade under this Act during each Year.

Annual Report of Board of Trade.

THE SCHEDULE.

Enactments repealed.

8 & 9 Vict. c. 108. in part.	An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty for regulating the Irish Fisheries - Section Seventeen.	in part; namely,—
13 & 14 Vict. c. 88. in part.	An Act to amend the Law relating to Engines used in the Rivers and on the Sea Coasts of Ireland, for the taking of Fish - - - - - Section Forty-one.	in part; namely,—

Oyster Fisheries.

A

BILL

To facilitate the Establishment, Improvement, and Maintenance of Oyster Fisheries.

(Prepared and brought in by Mr. Milner Gibson and Mr. Monsell.)

Ordered, by The House of Commons, *to be Printed,*
30 *May* 1866.

[Bill 169.]

Under 2 *oz.*